

2009

Annual Report

United States District Court
Southern District of California

*"The great thing in
this world is not so
much where we stand,
as in what direction
we are moving."*

—Oliver Wendell Holmes





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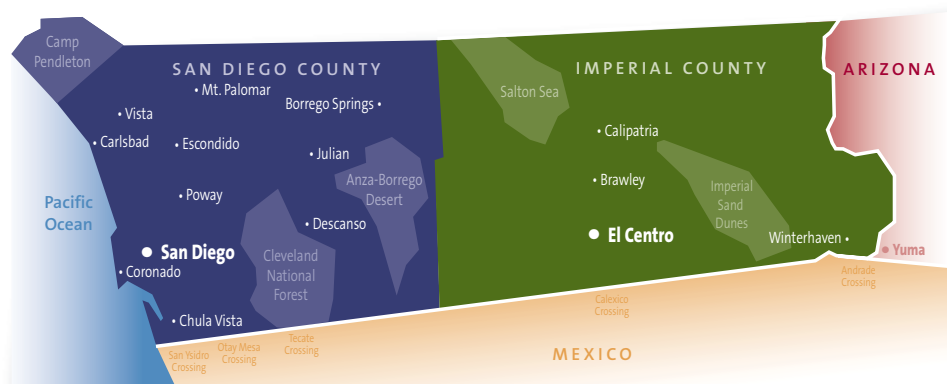
Southern District of California

AS THE TRIAL COURTS OF THE FEDERAL GOVERNMENT, district courts have jurisdiction to hear nearly all categories of civil and criminal cases. There are 94 federal judicial districts grouped into 12 regional circuits. This ensures there is at least one district in each state, the District of Columbia, Puerto Rico, and certain territories of the United States.

The Ninth Circuit, of which we are a part, includes Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington, Guam, and the Northern Mariana Islands.

The Southern District of California was created in 1966 when the former Southern and Northern Districts of California were divided into the Southern, Northern, Eastern, and Central Districts.

The Southern District of California has jurisdiction over San Diego and Imperial counties. Together, both counties cover more than 8,500 square miles. The entire western boundary of the District lies on the Pacific Ocean. The entire southern boundary of the District borders the Republic of Mexico for more than 175 miles. There are international ports of entry at San Ysidro, Otay Mesa, Tecate, Calexico, and Andrade. At the San Ysidro port of entry, the world's busiest land crossing, over 14 million vehicles and 40 million people legally enter the U.S. each year.



San Diego is the 9th largest city in the United States with a population of over 1.3 million people. San Diego County has a population of more than 3 million; Imperial County has a population of 160,000.

As a major urban center, the District experiences a full range of criminal activities — violent, drug-related and white-collar crime — present in any metropolitan

area. Because of its proximity to an international border, the District continues to be a major corridor for both illegal immigration and illicit drug trafficking activities. It is not surprising that the Southern District ranks fourth in the nation in federal felony filings.



Foreword

I AM JUST COMPLETING MY FIFTH YEAR as Chief Judge. As we begin a new decade, I again reflect on how proud I am to be the Chief Judge of the United States District Court for the Southern District of California. I work with great colleagues, a wonderful staff, and excellent support from the Clerk's Office.

2009 was a year of transitions. On the national level, in January, our new president, Barack Obama, was sworn in as the first African American to hold that office. Sonia Sotomayor, the first Hispanic to sit on the U.S. Supreme Court was sworn in just before the court opened its session in October. These two individuals are great examples of the opportunities this country offers us, no matter our race, ethnicity or economic status.

Locally, in our Court, Magistrate Judge Leo S. Papas retired after 18 years as a magistrate judge in July. In October, his replacement, former Assistant United States Attorney, William V. Gallo, was sworn in. Judge M. James Lorenz assumed senior status also in October.

On a sadder note, Judge Napoleon A. Jones, Jr. passed away in December. He will be remembered for his devotion to public service, his mentorship to other African American aspiring lawyers, and his dedication to making sure that every person who appeared before him was treated equally and fairly under the law.

I am happy to report that our Court has continued to operate soundly over the last year. Although our civil and criminal filings have increased substantially over the last year, the Court, with the help of dedicated judges and the Clerk's Office, has been able to efficiently and fairly dispose of cases on a regular basis.

One of the projects on which the Court focused last year was educating high school students on how our justice system protects the rights of all citizens. In that respect, we held an Open Doors to Federal Courts program in May, which consisted of an Oxford-style debate of the due process rights of criminal defendants and the competing First Amendment rights of crime victims. Our Court hosted approximately 400 students during this event. We hope to expand that program this year by focusing on preparing high school students for the civic and legal issues they will face as adults.

On a personal note, I am able to balance the demanding responsibilities of Chief Judge and my service on various committees, including Program Chair (last year) and Conference Chair (in 2010) of the Ninth Circuit Judicial Conference because of the willingness of my wonderful colleagues and talented staff to be there to assist me. I thank each and every person who makes my job easier.

I look forward to another great year as I am honored to be Chief Judge of judges and staff who are dedicated to serve the cause of justice.



Irma E. Gonzalez
Chief Judge

*Photo courtesy of
Lauren Radack Photography*



U.S. District Judges

The Southern District of California has historically been one of the busiest courts in the federal judiciary.

UNDER ARTICLE III OF THE UNITED STATES CONSTITUTION, the President appoints United States district judges with the advice and consent of the Senate. The Southern District of California, historically one of the busiest courts in the federal judiciary, has thirteen authorized judgeships. Judge M. James Lorenz assumed senior status on October 25, 2009, but the President has not yet nominated a candidate to fill the position. As a result, only twelve of the Court's thirteen judgeships are currently filled. In addition, the Court has two "active" senior judges who continue to hear a substantial load of cases, and three senior judges on retired status. The Court was deeply saddened by the passing of Senior Judge Napoleon A. Jones, Jr. on December 12, 2009.





Irma E. Gonzalez, Chief Judge
Commission: 8/12/1992
Nominated by George H. W. Bush
Chief Judge: 2005 - Present



Marilyn L. Huff
Commission: 5/14/1991
Nominated by George H. W. Bush
Chief Judge: 1998 - 2005

*Twelve of the Court's
thirteen authorized
judgeships are
currently filled.*



Barry Ted Moskowitz
Commission: 12/26/1995
Nominated by William J. Clinton



Jeffrey T. Miller
Commission: 5/27/1997
Nominated by William J. Clinton



Thomas J. Whelan
Commission: 10/22/1998
Nominated by William J. Clinton



Larry Alan Burns
Commission: 9/25/2003
Nominated by George W. Bush



Dana M. Sabraw
Commission: 9/26/2003
Nominated by George W. Bush



William O. Hayes
Commission: 10/6/2003
Nominated by George W. Bush

*District judges are
appointed for life
so as to keep their
decisions free from
the influence of
politics or popular
opinion.*



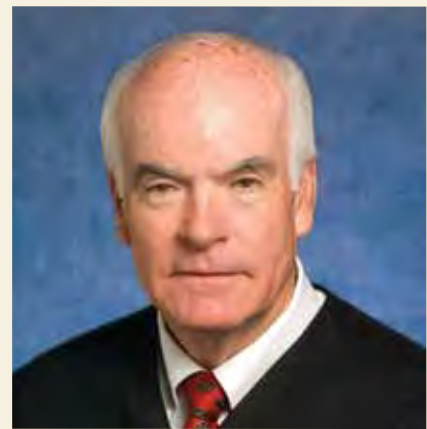
John A. Houston
Commission: 10/7/2003
Nominated by George W. Bush



Roger T. Benitez
Commission: 6/21/2004
Nominated by George W. Bush



Janis L. Sammartino
Commission: 9/21/2007
Nominated by George W. Bush



Michael M. Anello
Commission: 10/10/2008
Nominated by George W. Bush



Howard B. Turrentine
Commission: 4/24/1970
Nominated by Richard M. Nixon
Chief Judge: 1982 - 1984
Senior Status: 1/22/1984



Gordon Thompson, Jr.
Commission: 10/16/1970
Nominated by Richard M. Nixon
Chief Judge: 1984 - 1991
Senior Status: 12/28/1994

*"The doors of wisdom
are never shut."*

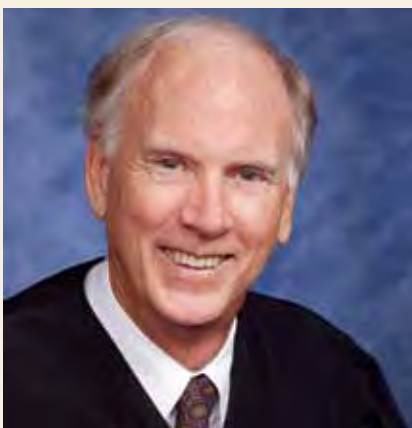
—Benjamin Franklin



William B. Enright
Commission: 6/30/1972
Nominated by Richard M. Nixon
Senior Status: 7/12/1990



Rudi M. Brewster
Commission: 6/15/1984
Nominated by Ronald Reagan
Senior Status: 7/1/1998



M. James Lorenz
Commission: 10/5/1999
Nominated by William J. Clinton
Senior status: 10/25/2009



U.S. Magistrate Judges

MAGISTRATE JUDGES SERVE AS JUDICIAL OFFICERS of the U.S. District Courts and exercise the jurisdiction delegated to them by law and as assigned by the district judges. The number of magistrate judgeships in each district is determined by the U.S. Judicial Conference, on the advice of the district judges, the circuit councils, and the Administrative Office of the U.S. Courts. Congress must also fund any newly created positions.

The Southern District of California currently has nine full-time magistrate judges in San Diego, and one full-time magistrate judge in El Centro. On July 30, 2009, Magistrate Judge Leo S. Papas retired after more than 18 years on the federal bench. His successor, Magistrate Judge William V. Gallo, was sworn in on October 15, 2009. The U.S. Judicial Conference, at its September 2009 meeting, authorized a tenth full-time magistrate judge position in San Diego, and the Court is in the process of selecting a candidate to fill that new position.





Ruben B. Brooks
Appointed on: 9/2/1993
Appointed by Chief Judge Judith N. Keep
Presiding Magistrate Judge: 1/2007 to Present



Louisa S. Porter
Appointed on: 6/19/1991
Appointed by Chief Judge Judith N. Keep
Presiding Magistrate Judge: 4/1997 to 4/2002

*Magistrate judges
serve for eight year
renewable terms.*



Anthony J. Battaglia
Appointed on: 11/15/1993
Appointed by Chief Judge Judith N. Keep



Nita L. Stormes
Appointed on: 1/3/2000
Appointed by Chief Judge Marilyn L. Huff



Jan M. Adler
Appointed on: 7/8/2003
Appointed by Chief Judge Marilyn L. Huff



William McCurine, Jr.
Appointed on: 1/5/2004
Appointed by Chief Judge Marilyn L. Huff



Barbara L. Major
Appointed on: 1/5/2004
Appointed by Chief Judge Marilyn L. Huff



Peter C. Lewis
Appointed on: 6/28/2004
Appointed by Chief Judge Marilyn L. Huff

*The Southern
District of California
has ten full-time
magistrate judges.*



Cathy Ann Bencivengo
Appointed on: 12/5/2005
Appointed by Chief Judge Irma E. Gonzalez



William V. Gallo
Appointed on: 10/15/2009
Appointed by Chief Judge Irma E. Gonzalez



Magistrate Judge Gallo's Swearing In

ON OCTOBER 15, 2009, former Assistant United States Attorney William V. Gallo was sworn in as the Court's newest magistrate judge, to fill the vacancy created when Magistrate Judge Papas retired in July 2009. Chief Judge Irma E. Gonzalez administered the oath of office to Magistrate Judge Gallo in an informal ceremony in her chambers. Many of the district judges and magistrate judges attended the ceremony, as did Judge Gallo's wife, Melissa, and his law clerks, Mark Schwartz and Lindsey Stevens. United States Attorney Karen Hewitt, and other close friends from the Office of the United States Attorney, were also present to see Judge Gallo take his oath of office.

Judge Gallo, a native of Pittsburgh, Pennsylvania, received his law degree from the Loyola University School of Law in Chicago, Illinois in 1979. Judge Gallo served as a Judge Advocate in the United States Marine Corps and Marine Corps Reserve from 1978 to 2005, serving as a Military Judge from 1996 to 2002. He served as an Assistant United States Attorney in the Southern District of California from 1991 to 2009, where his primary focus was the prosecution of federal drug offenses.



Magistrate Judge William V. Gallo took the oath of office on October 15, 2009



U.S. Bankruptcy Court Judges

BANKRUPTCY COURT JUDGES EXERCISE JURISDICTION under Title 11 of the United States Code. Bankruptcy Court judges are appointed by the courts of appeals, with the advice and recommendation of a merit selection panel selected by the circuit judicial council. Bankruptcy Court judges serve for 14 year renewable terms.

The Bankruptcy Court for the Southern District of California has four judges. For the second time in the past three years, the Bankruptcy Court is facing a vacancy on the bench, this one resulting from the retirement of Judge James M. Meyers in February 2010. Judge Meyers has served the Bankruptcy Court for the Southern District of California since 1976. The Ninth Circuit has selected San Diego attorney Margaret M. Mann to fill Judge Meyers' position, subject to completion of appropriate background clearances.





Peter W. Bowie
Appointed 3/2/1988
Chief U.S. Bankruptcy Judge: 2006-present



James W. Meyers
Appointed 1/5/1976
Chief U.S. Bankruptcy Judge: 1985-1995

*Bankruptcy Judge
James Meyers will
retire in 2010, after
34 years on the bench.*



Louise DeCarl Adler
Appointed 3/6/1984
Chief U.S. Bankruptcy Judge: 1996-2000



Laura S. Taylor
Appointed 1/11/2008



Judge Papas' "Swearing Out"



MAGISTRATE JUDGE LEO S. PAPAS retired from the federal bench on July 30, 2009, completing his 18 year federal judicial career. Magistrate Judge Papas was appointed by Chief Judge Judith N. Keep on June 26, 1991. To celebrate Judge Papas' retirement, the Court held its first "Swearing Out" ceremony in Courtroom 1. Judge Papas' family joined members of the bench as well as Judge Papas' extended court family to watch as he was "disrobed" by his former law partners. As was the case during his swearing

in ceremony 18 years ago, members of the audience wore Groucho Marx glasses in recognition of Judge Papas' commonly noted resemblance to the actor. The judge was then "roasted" by friends and members of the legal community. Ultimately, Chief Judge Irma Gonzalez ordered Judge Papas to turn in the tools of his trade starting with his gavel and ending with his keys to the courthouse.

During his tenure on the bench, Judge Papas was deeply committed to community outreach, serving for many years as the Court's liaison for the "Judges in the Classroom" program. Perhaps best known for his ability to settle even the most daunting cases, he was named Outstanding Judge of the Year by the San Diego County Bar Association in 2003, and again in 2007 by the Consumer Attorneys of San Diego. Judge Papas will continue his career as a mediator with Judicate West here in San Diego.





Judge Napoleon A. Jones, Jr. – In Memoriam

THE UNITED STATES DISTRICT COURT

for the Southern District of California was deeply saddened by the passing of Senior District Judge Napoleon A. Jones, Jr., on December 12, 2009. Judge Jones was appointed to the federal bench by President Clinton on September 15, 1994, and took senior status on September 19, 2007.

Judge Jones' life and career was driven by his desire to help others and pursue justice. Born on August 26, 1940 in Hodge, Louisiana, he moved to San Diego with his parents at a young age. He graduated from San Diego High School and went on to San Diego State University, where he received his Master's degree in Social Work in 1967. Judge Jones was a social worker in Foster Home Placement and Child Protective Services for several years prior to attending law school.

After graduating from the University of San Diego School of Law in 1971, Judge Jones worked for California Rural Legal Assistance, which advocates on behalf of farm workers and other impoverished people, and for Defenders, Inc., which represents indigent criminal defendants in federal cases. Judge Jones was appointed to the San Diego Municipal Court in 1977, and was then appointed to the San Diego County Superior Court in 1982.

The second African American judge appointed to the federal bench in San Diego, Judge Jones was appointed in 1994 to fill the vacancy created after Judge Earl B. Gilliam took senior status. He acted as a mentor to numerous young lawyers as well as his own contemporaries, encouraging them to serve the public through the practice of law. The Court, the bar, and the public will not soon forget Judge Jones' commitment to the pursuit of justice for all.



Napoleon A. Jones, Jr.
Commission: 9/15/1994
Nominated by William J. Clinton
Senior Status: 9/19/2007
Deceased: 12/12/2009



Courthouses

GROUNDBREAKING CEREMONY/NEW COURTHOUSE

After more than fifteen years of planning, design, and federal budget cycles, ground was officially broken on Friday, December 11, 2009, for the construction of the new San Diego Courthouse Annex. The ceremony, which took place at 2:00 p.m. on a rare cloudy and damp San Diego afternoon, marked the culmination of thousands of hours of dedicated effort by our Congressional delegation, Circuit and District Court Judges, members of the Bar, the City of San Diego, community leaders, and the United States General Services Administration.

Featured speakers for the groundbreaking ceremony included Paul Prouty, acting administrator of the United States General Services Administration, the developer and landlord for the new building; the Honorable J. Clifford Wallace, Senior Judge and former Chief Judge of the 9th Circuit Court of Appeals and a San Diego native; the Honorable Irma E. Gonzalez, Chief Judge of the U.S. District Court, Southern District of California; and Michael Palladino, principal of the architectural firm of Richard Meier and Partners, the designer of the new building. The Honorable Jerry Sanders, Mayor of San Diego and Mr. Bill



The construction project team



Paul Prouty, Ross Eisenman, and Jeff Neely



Representatives of GSA San Francisco Regional Office



Sam Hamrick, Chief Judge Gonzalez, Mario Ramirez and Judge Brewster

Cegelka, Senior Community Representative for Congresswoman Susan Davis, concluded the program. Each of the speakers noted the strong presence the new courthouse will have in downtown San Diego and expressed appreciation for the long hours and tremendous effort expended to date by many individuals to help make this much-needed building a reality.

Construction of the new courthouse will extend over the next three years. Final design and construction documents for the building were completed in mid-2008.



Judges Turrentine, Anello and Benitez



Mayor Jerry Sanders

Jacobs Engineering has been serving as project construction manager for several years, and in September 2009, the General Services Administration awarded a construction contract to Hensel Phelps Construction of Irvine, California. The Court is very fortunate to work with this strong and experienced project team and looks forward to a successful collaboration in the months and years to come.

The new building, to be constructed on the block immediately west of the Edward J. Schwartz Courthouse, will house roughly 285,000 square feet of eventual expansion space for the Southern District of California. Rising 16 stories above Broadway and State Streets, space will be initially provided for six full-size district courtrooms and 12 chambers suites. In addition, offices of the Clerk of Court, U.S. Pretrial Services, and the U.S. Marshals Service will be relocated to the new building, bringing these elements of the court together in one facility. The building will also house other federal tenants, in space ultimately designed for eight future district



Excavation for the new annex began on October 13, 2009



Michael Palladino



Senior Ninth Circuit Judge J. Clifford Wallace

The courts of the Southern District of California currently operate out of three locations.

courtrooms and chambers. Underground corridors and an 80,000 square foot, landscaped, public plaza will connect the new annex to the existing Schwartz Courthouse, which shall remain in full-time service by the Court. The General Services Administration estimates the project will directly provide 1,245 jobs for each of the three years of anticipated construction with approximately \$185 million in new salaries benefitting the local economy over the course of the project. The new courthouse annex is also expected to achieve LEED Silver certification by the U.S. Green Building Council.

Shoring and mass excavation for the project are expected to be completed early in 2010. The building foundation includes a very large concrete mat beneath the entire courthouse tower. Construction of this concrete mat in the summer of 2010 will feature one of the largest and longest continuous concrete placements in the history of San Diego. Structural steel will begin to rise before the end of 2010, and will become visible on the city skyline within a year thereafter. Overall, the project will be completed and ready for occupancy by the Court in early 2013.

This long-awaited and much-needed courthouse will benefit the citizens of Southern California for many generations to come.

THE COURTS OF THE SOUTHERN DISTRICT OF CALIFORNIA currently operate out of three locations. The Edward J. Schwartz U.S. Courthouse, in downtown San Diego, and the new El Centro Courthouse contain the U.S. District Court. The historic Jacob Weinberger United States Courthouse, also in downtown San Diego, is the home of the U.S. Bankruptcy Court.

Edward J. Schwartz U.S. Courthouse

The building currently housing the judges of the U.S. District Court was commissioned in 1976. On September 16, 1994, the building name was officially changed to the Edward J. Schwartz United States Courthouse, in honor of former U.S. District Judge Edward J. Schwartz, who was instrumental in ensuring that the courthouse was funded and built.

The building originally housed the district court, the bankruptcy court, all Clerk's Office staff, and the U.S. Marshals Service. Because of the need for additional space, in 1994 the bankruptcy court was moved into the renovated Jacob Weinberger Courthouse, and in 1995 the Clerk's Office was moved into the adjacent Federal Office Building.

The courthouse currently has 463,425 square feet of occupiable space. It includes 15 district judge courtrooms, one special proceedings courtroom, which is occupied by our Chief Judge, and 8 magistrate judge courtrooms. Each



Edward J. Schwartz U.S. Courthouse

of these courtrooms have adjacent chambers for judges and their staff. In addition, there are two senior judges who share a single chambers without an adjacent courtroom. Finally, there is one additional magistrate judge chambers area, which was completed in March 2005, without a courtroom. There is no additional space available for courtrooms or chambers within the Edward J. Schwartz U.S. Courthouse. The current district judge courtrooms are approximately 25% smaller than called for by the U.S. Courts Design Guide.

Jacob Weinberger United States Courthouse

The “U.S. Post Office and Custom House” was commissioned on April 5, 1913. The building is an eclectic design, blending classic and colonial revival influences that uniquely recognize San Diego’s Hispanic heritage.

Over the years, space was added and various federal agencies moved in and out. In 1961, however, the building was designated “The United States Courthouse,” and became the seat of the Southern District of California when the District was created in 1966.

Following the completion of a new Federal Building and the Schwartz Courthouse in 1976, the historic building’s future became uncertain until it was placed on the National Register of Historic Places. On April 29, 1994, following four years of extensive renovation, the staff of the U. S. Bankruptcy Court for the Southern District of California took residence in the magnificently restored, historic landmark.

The El Centro Courthouse

Our El Centro federal courthouse, located in the Imperial Valley, reflects the dignity of the Court and a respect for the desert in which it is located.

The main entry provides an appropriate level of grandeur with a 40-foot high rotunda and tall clerestory windows.



Jacob Weinberger U.S. Courthouse

Natural daylight illuminates the courtroom without contributing to excessive heat gain in the desert climate.

Much of the art of the courthouse is incorporated into the landscape. There is a water feature symbolizing the American Canal, irrigation, and the importance of agriculture to the Imperial Valley. Palm groves and cactus gardens add native decorative elements.

The El Centro Courthouse has one courtroom and chambers space for a full-time U.S. Magistrate Judge. The building also houses the Clerk’s Office, U.S. Probation, U.S. Pretrial Services, and the U.S. Marshals Service. Court is in session every day in El Centro for criminal arraignments and other criminal felony pretrial hearings. The courtroom is also used for civil proceedings and monthly Bankruptcy 341 meetings.



El Centro U.S. Courthouse



U.S. District Court Clerk's Office

THE DISTRICT COURT CLERK'S OFFICE provides clerical and administrative support to the judges of the court. The office is responsible for providing courtroom support and case management, and maintaining accurate and timely electronic case files. In addition to serving the Court, the Clerk's Office provides many services to the bar, the public, and other government agencies.



W. Samuel Hamrick, Jr.
Clerk of Court

In 2009, our Court experienced another significant increase in criminal case filings. Criminal felony case filings totaled 4,851, a 20% increase over 2008. This was on top of a 19% increase in criminal felony filings the previous year. Cases involving drugs and immigration offenses contributed the most to the rising caseload. The Court also experienced a significant increase in civil filings in 2009, with total case filings reaching 3,175, an increase of 20% over 2008. The largest filing increases were in the areas of contracts, real property, personal injury/other tort actions, and Social Security appeals.

While the civil and criminal caseloads grew by 20%, the Clerk's Office only added three new employees to handle the additional workload. This staffing increase included one new deputy in the El Centro, California office. At the end of

We Believe In **SERVICE**

Sharing knowledge, information and access to services;
Ensuring timely, accurate, impartial delivery of services to customers;
Recognizing and rewarding superior performance;
Valuing the diversity of our customers and each other;
Investing in innovation, technology and our people;
Challenging ourselves and our processes to continually improve;
Excellence as the standard in public service.

September 2009, the office employed 139 deputy clerks. This represented 135 deputy clerks serving the Court in San Diego and four deputy clerks serving in El Centro. In 2010, the office plans to hire additional staff to meet the increasing caseload and provide support to a growing Court.

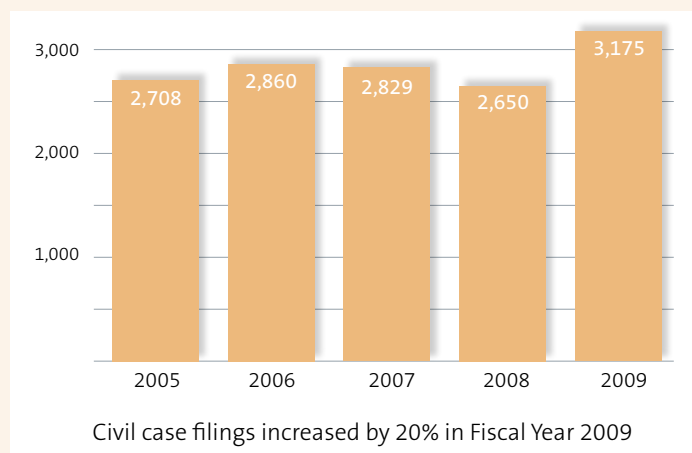
The year ended with the retirement of two longtime employees who served a combined 38 years with the federal courts. Elda Avila, Staff Interpreter, retired on November 27, 2009, after 15 years of employment with the Court. Sandra Harris, Records Clerk, retired on December 31, 2009, after 23 years of service with the Clerk's Office.

Case Services

Improving the CM/ECF electronic case filing system was the main theme in Case Services in 2009. Over 500 local modifications were made to make CM/ECF work better for our Court. These modifications have streamlined data entry tasks and enabled the staff to process a 20% increase in case filings and over 300,000 entries on the Court's docket. In April, the staff worked with IT to implement the new CM/ECF Victim Notification System (VNS). VNS provides the Department of Justice public information so its offices can efficiently notify crime victims of future hearing dates. In July, we implemented new Adobe electronic certification stamps for Court documents. Our staff also worked closely with the U.S. Bankruptcy Court to enable their staff to electronically open and file bankruptcy documents filed in District Court. The culmination of CM/ECF improvements occurred in October when our staff completed an upgrade to version 4.0.2. At the time, our office was one of only 17 in the federal judiciary to be on the new version.

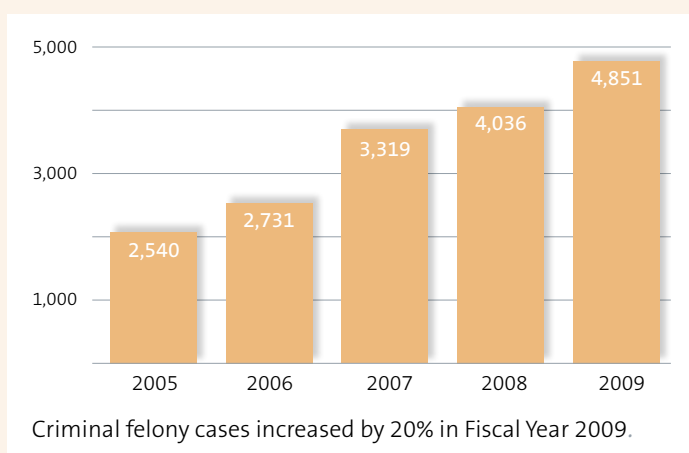
Civil Filings

12 Month Period Ending September 30



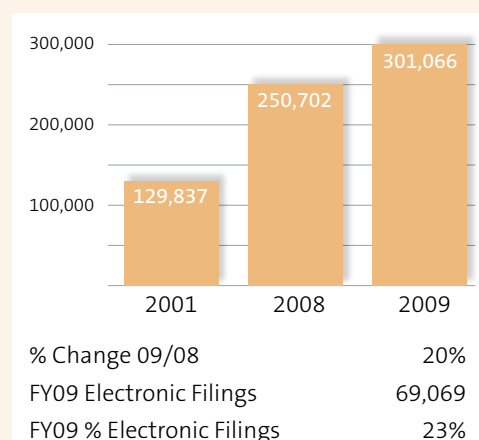
Criminal Felony Cases

12 Month Period Ending September 30



Total Docket Entries

Fiscal Year 2001 to 2009



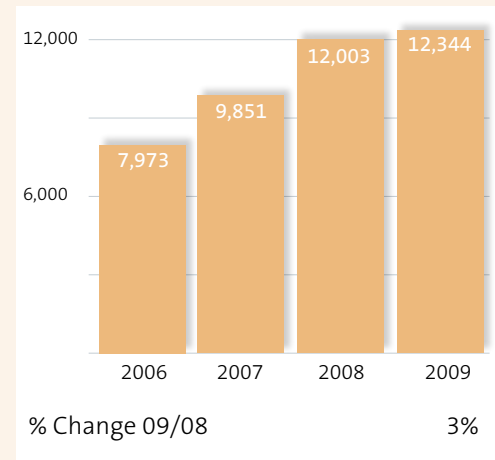
Both civil and criminal case filings increased 20% over 2008 numbers.

Financial

In the Spring of 2009, the financial section implemented the Civil/Criminal Accounting Module (CCAM) in the Court's accounting system. The CCAM project started in August 2008 and was fully implemented in May 2009. The staff converted manual criminal and civil debt records, spanning two decades, into an Administrative Office, U.S. Court's (AO) developed software program that integrated with the Court's current financial accounting system. All bonds, restitutions, fines, penalty assessments, interpleader funds, and material witness bonds were converted from a manual system into the CCAM system. As of September 30, 2009, the Court had over \$14 million in the Registry Fund (Bonds/Interpleader monies) and almost \$6 million in the Deposit Fund (Fines/Restitution/Penalty Assessments).

During the conversion to CCAM, the financial staff kept current the Court's disbursements, Criminal Justice Act (CJA) panel payments, and receipting. In 2009, the section processed 12,344 vouchers, totaling over \$15 million in payments. The section also developed and presented two CJA presentations for the Court's CJA/Material Witness Panels.

Criminal Justice Act (CJA) Vouchers Twelve Month Period Ending September 30



Court Reporters/Electronic Court Recorders (ECRs)

In 2009, the Court Reporters and Electronic Court Recorders (ECR) implemented several changes to increase efficiency, reduce costs, and meet the current and future needs of the Court. On February 19, 2009, the Ninth Circuit Judicial Council adopted the Court's revised Court Reporter Management Plan. The plan had not been updated since 1991 and several new provisions, such as electronic access to transcripts and transcript redac-



Deputy Clerks of the U.S. District Court for the Southern District of California

tion procedures, will bring our Court into full compliance with Judicial Conference Policy and the Court Reporter Act. The plan also incorporated teleworking, a popular option that several employees have successfully incorporated into their work schedule. Teleworking for court reporters/ECRs and other Court staff is a key component of the Court's Continuity of Operations Plan (COOP).

The court reporters also implemented electronic filing of their stenographic notes and audio recordings in 2009. This will save thousands of dollars in storage costs for our local court and the Administrative Office. In June, the court reporters implemented the Automated Court Reporter Application (ACRA), a new national program for court reporters to electronically submit their quarterly and annual reports to the Administrative Office.

Courtroom Deputies

In February, the magistrate judge courtroom deputies completed a one year project by converting their monthly statistical reports of magistrate judge activity from a manual system to the automated CM/ECF Magistrate Judge Statistics Through Automated Records (MJSTAR) program. This new program will standardize how our magistrate judges receive credit for the work they perform in and out of court.

A committee of courtroom deputies took on the task of cataloging and scanning over thirty years of court calendars that are currently in storage. This project will save thousands of dollars in storage costs for our Court and make all calendars electronically available to courtroom deputies.

In September and October, a committee of courtroom deputies worked with our IT staff, as well as trainers with the Southern District of Texas to provide training and support for the upgrade to Chambers

Electronic Organizer (CEO) version 6. Several courtroom deputies devoted extra hours to testing the CEO calendar program and our locally developed Daily Calendar Report to ensure that it worked properly with CM/ECF.

Jury

The Southern District of California had the best jury utilization figures, for the period July 1, 2008 thru June 30, 2009, for all of the California federal courts. In 2009, 3,035 grand jurors and 10,675 petit jurors reported for jury duty. This represented a 60% increase for petit jurors over 2008 figures. In February, the jury section empaneled two Grand Jury Panels and started the 2009 Jury Wheel. Jury also upgraded to the Jury Management System (JMS) version 6.03 this past year, and the number of jurors using the AJIS online jury reporting software at the end of September 2009, totaled 28.3%.

The Southern District of California had the best jury utilization figures, for the period July 1, 2008 thru June 30, 2009, for all of the California federal courts.

Procurement and Facilities

The procurement section assisted with several court improvement projects in 2009. These included replacing wallpaper in all public lobbies and courtroom vestibules, and wallpaper and carpeting in the District Judge judicial corridors; replacing the District Judges' conference room furniture and installing carpeting and furniture in the Magistrate Judges' conference room; upgrading the lighting control systems for the 3rd and 4th floor courtrooms, and all the audio/video control panels in the District Judge courtrooms; purchasing storage cabinet carts

Jury

12 Month Period Ending September 30

	2008	2009	% Change 09/08
Grand Jurors in Session	3,238	3,035	-6%
Petit Jurors Present	6,682	10,675	60%

for jury deliberation rooms; and upgrading juror refreshment equipment in jury deliberation rooms. Procurement also purchased credenzas for court reporters in the courtroom vestibules; assisted with the purchase and installation of a portrait of Chief Justice Roberts, and a Magistrate Judge plaque, on the 1st floor of the Edward J. Schwartz United States Courthouse; added public seating outside of the Magistrate Judges' courtrooms; and contracted with GSA to provide an emergency air conditioning system in the El Centro computer room.

Human Resources (HR)

In 2009, HR implemented three new technology initiatives to provide better service to our staff. The section worked with the IT section to develop an Employee Set-up Program (ESP) that streamlines the employee orientation and separation process. The section also implemented the electronic remote data entry module in the Human Resources Management Information System (HRMIS). This enables our office to electronically send personnel actions directly to the Administrative Office, U.S. Courts. Finally, the section implemented the HRMIS e-Service module allowing Court staff direct access to their pay statements, W4 withholdings and editing payroll allotments.

Interpreter Events in the Courtroom 12 Month Period Ending September 30

	2008	2009	% Change 09/08
Spanish Staff Interpreter Events	18,878	22,392	19%
Other Than Spanish Events	171	282	65%
Total	19,049	22,674	19%

HR was also involved in several training and outreach initiatives in 2009. In April, the section assisted the Honorable John J. Hargrove with his presentation to court employees on credit abuse (CARE—Credit Abuse Resistance Education program). The section also sponsored a FERS retirement seminar for Court staff, and worked with the Social Security Administration to present the first of two Social Security benefits information briefings in July. HR continued the Clerk's Office employment outreach by attending two university career fairs, one at the University of San Diego and the other at Pt. Loma Nazarene University.

Interpreters

The Interpreters section had a very busy year in 2009 that reflected the Court's growing criminal caseload. The staff of 15 full-time and part-time Spanish interpreters, along with seven Spanish contract interpreters, covered a total of 22,392 in-court events, ranging from brief continuances to trials lasting up to several days. This figure represented an increase of 19% over the previous fiscal year. Our staff also interpreted for 1,739 probation events, and covered 680 out-of-court events. Staff interpreters translated a total of 302 pages of documents, including complex legal decisions issued by Mexican courts, police investigations conducted in Mexico, medical documents, and correspondence addressed to our judges.

HR continued the Clerk's Office employment outreach by attending two university career fairs, one at the University of San Diego and the other at Pt. Loma Nazarene University.

In addition to providing Spanish language interpreting services, the Interpreters section is responsible for contracting for other-than-Spanish (OTS) interpreting. In 2009, our Court required interpreter services for 282 OTS court events involving 23 different languages. The Southern District of California is also a Telephonic Interpretation Provider District. Our staff interpreter in El Centro provided services to more than 20 locations throughout the federal judiciary. The locations ranged from Anchorage, Alaska to Mobile, Alabama to South Bend, Indiana. Our courtrooms are also equipped to be recipients of telephone interpreting services and received such services for Arabic, French and Japanese.

Information Technology (IT)

The IT section implemented a number of updates to the Court's network and software in 2009.

COOP Initiatives - The Court has installed a Remote Terminal Server (RTS) for staff to log into for remote access to their networked documents and Court applications. Using the U.S. Court's secure JPORT website, all Court staff can now access the Court's network from any internet browser. IT staff also provided training to all Court staff on how to use and access the remote system.

The Court now has Replication Servers set up for both of its websites. The Courts' intranet site is replicated on a server in the El Centro Courthouse. The Court's internet site is hosted on a server at the U.S. Court's replication center, located in Reston, Virginia. These two replication web server sites were established for use in the event that one or both of the Court's websites are not accessible from San Diego.

CEO v6.06.1 (Chambers Electronic Organizer) - The Administrative Office of the U.S. Courts has adopted CEO as one of its main calendaring programs used with CM/ECF. The recent upgrade of CEO to version 6.06.1 allows our Court staff to create and maintain customized modules, such as the Daily Calendar Report, to use alongside CEO. Version 6.06.1 also allows us to better assist other courts that want to incorporate our customized modules into their CEO programs now that the new version gives us that flexibility. In addition to all of the judges in our district using the CEO calendar program, judges in 63 other district courts now use it as their court calendar program.



Deputy Clerks of the El Centro Clerk's Office



Magistrate Judge Peter Lewis with Clerk of the Court Sam Hamrick and Chief Deputy of Administration Alan Counts

Naturalization ceremonies are a very moving experience for all involved. Our judges consider it an honor and a privilege to share such an occasion with our new citizens.



AJIS (Automated Juror Information System) - The Court has upgraded its Automated Juror Information System with an online module and additional phone lines access. Jurors now have a choice on how they wish to check their jury status. They can either use the new web module to check their jury status via the internet, or jurors may continue to call the toll-free 800 number. The online web feature averages about 25-28% utilization per month. However, even with that volume using the internet, additional phone lines were still needed on the AJIS phone module to help alleviate the demand on the existing thirteen phone lines. The Court also installed a new phone line interface card in the AJIS server to accommodate the increased demand that also allows for future growth potential.

Help Desk Tickets -

The Court's IT staff responded to 4,032 online automation tickets in the past year. Assistance on WordPerfect and Lotus Notes email/calendar issues accounted for 25% of all online requests to the IT help desk.

Naturalization Ceremonies

Naturalization ceremonies are a very moving experience for all involved. Our judges consider it an honor and a privilege to share such an occasion with our new citizens. Ceremonies are planned and scheduled by the local office of the United States Citizenship and Immigration Services. The Clerk's Office schedules appellate, district, magistrate, and bankruptcy judges to preside over each ceremony. Due to a space shortage in the district courthouse and federal building, naturalization ceremonies must be scheduled off-site to accommodate the large number of people attending each ceremony.

In Fiscal Year 2009, 8,890 new citizens, including 406 U.S. military personnel, were sworn in during 23 ceremonies. The largest ceremony was held on October 15, 2008, at Golden Hall in downtown San Diego. On that day, Magistrate Judge Leo S. Papas administered the oath of citizenship to 1,023 new citizens. Additionally, the Court presided over several special ceremonies reserved for military personnel. Some of the more memorable events included two ceremonies conducted aboard the U.S.S. Midway. The first took place on November 11, 2008, when U.S. District Judge Janis L. Sammartino administered the oath to 132

members of the United States Armed Forces; the second occurred on May 28, 2009, when U.S. District Judge Dana M. Sabraw administered the oath to 93 members of the United States Armed Forces. On July 2, 2009, U.S. Magistrate Judge Anthony J. Battaglia presided over a naturalization ceremony at the scenic Cabrillo National Monument where 62 active duty members of the United States Armed Forces were sworn in as new citizens. Finally, on September 17, 2009 (Citizenship Day), U.S. Magistrate Judge Barbara L. Major presided over a naturalization ceremony at Camp Pendleton for the U.S. Marine Corps, where 100 active duty members of the United States Armed Forces were sworn in as new citizens.



**Median Time From Filing To Disposition:
Civil Filings (In Months)**
12 Month Period Ending September 30, 2009

	Number	Median	Circuit Rank
CA,C	10,093	5.7	1
CA,S	1,836	6	2
WA,W	2,193	6.7	3
NV	1,886	7	4
AK	324	7.2	5
CA,E	2,313	7.9	6
AZ	2,064	8.1	7
WA,E	482	8.9	8
HI	512	9.1	9
NMI	46	9.2	10
CA,N	4,515	9.4	11
ID	322	10.3	12
MT	373	10.3	12
OR	1,664	11.1	14
GUAM	17	17.5	15
National Avg		8.9	

The Southern District of California ranked second in the Ninth Circuit in the median time from filing to disposition for civil cases.

**Median Time From Filing To Disposition:
Criminal Felony Filings (In Months)**
12 Month Period Ending September 30, 2009

	Number	Median	Circuit Rank
CA,S	6,151	3.8	1
AZ	5,156	4.1	2
HI	672	5.8	3
WA,W	1,485	6.0	4
NMI	25	6.4	5
CA,N	1,075	6.6	6
MT	521	7.6	7
ID	398	7.8	8
AK	263	7.8	8
GUAM	92	7.8	8
WA,E	504	8.7	11
CA,C	2,096	8.9	12
NV	489	9.8	13
CA,E	1,205	10.2	14
OR	869	10.7	15
National Avg		6.5	

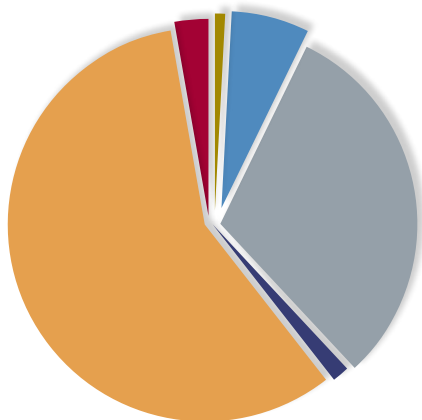
The Southern District of California ranked third in the federal judiciary, and first in the circuit in the median time from filing to disposition for criminal felony filings.

Caseload Measures
Cases Filed, Terminated, and Pending
12 Month Period Ending September 30, 2009

	2008	2009	% Change 09/08
Filings			
Civil	2,650	3,175	20%
Criminal (Cases)	4,036	4,851	20%
Total	6,686	8,026	20%
Terminations			
Civil	2,704	2,827	5%
Criminal (Cases)	4,407	5,481	24%
Total	7,111	8,308	17%
Pending			
Civil	2,040	2,377	17%
Criminal (Cases)	2,262	2,357	4%
Total	4,302	4,734	10%
Case Termination Index			
Civil	9.1	10.1	
Criminal	6.2	5.2	

To measure processing times, the Case Termination Index divides annual terminations by 12, which yields a current rate per month. This rate is then divided into the pending caseload, and the result equals the number of months required to clear all pending cases.

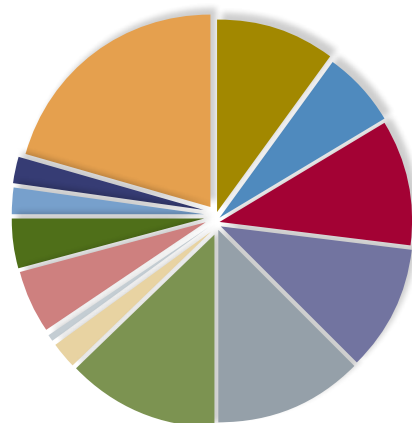
Criminal Case Filings by Nature of Offense
12 Month Period Ending September 30, 2009



	FY 2009	FY 2008	% Change
Violent Offenses	50	35	43%
Property Offenses	307	342	-10%
Drug Offenses	1,501	919	63%
Firearms/Explosives Offenses	62	41	51%
Immigration Offenses	2,809	2,602	8%
Other	122	85	44%
Total Criminal Cases	4,851	4,024	21%

Does not include transfers

Civil Case Filings by Nature of Suit
12 Month Period Ending September 30, 2009



	FY 2009	FY 2008	% Change
Contract	326	254	28%
Real Property	199	75	165%
Personal Injury/Other Tort Actions	333	180	85%
Civil Rights	335	330	2%
Prisoner Habeas Corpus	401	414	-3%
Prisoner Civil Rights	401	369	9%
Prisoner 2255's	73	138	-47%
Prisoner Mandamus/Other	22	55	-60%
Copyright/Patent/TM	165	194	-15%
Labor Suits	135	114	18%
Forfeitures/Penalties	62	64	-3%
Social Security	71	48	48%
All Other	652	415	57%
Total Civil Cases	3,175	2,650	20%



U.S. Bankruptcy Court



Barry Lander
Clerk of the U.S. Bankruptcy Court

DURING 2009, THE BANKRUPTCY COURT for the Southern District of California experienced a record increase in bankruptcy filings that surpassed the all-time annual filing levels for the Court. For the twelve-month period which ended on September 30, 2009, total bankruptcy filings reflected a dramatic increase of 58% compared to the previous year. In addition, the Court has experienced a substantial increase in the percentage of Chapter 13 petitions filed by *pro se* debtors. The judges' weighted caseload hours increased by approximately 46%. In addition, there were approximately 596 relief from stay motions filed in July 2009, the highest

CORE VALUES

Quality

We strive, through continuous improvement and innovation, to meet or exceed customer requirements.

Service

We are courteous, responsive, and personally committed to providing exceptional service to our customers and each other.

Integrity

We are fair, honest, and ethical, reflecting the highest degree of trust and respect in all that we do.

Teamwork

We encourage and support involvement in the decision-making and problem-solving process to share ideas, achieve common goals, and meet all challenges.

Development

We provide an atmosphere that responds to employee needs, advances professional growth, and inspires personal commitment.

number of relief from stay motions ever filed in a single month in the Southern District of California Bankruptcy Court.

All of this has kept the Clerk's Office and the four Judges very busy. The Bankruptcy Court bench includes Chief Judge Peter W. Bowie, Judge James W. Meyers, Judge Louise DeCarl Adler, and Judge Laura S. Taylor. Sixty-two Clerk's Office and Chambers staff serve the Judges and the community. The Court is housed primarily in the historic Jacob Weinberger Courthouse with administrative offices and training facilities located across the street in the Meridian Building. The Court continues to work closely with other bankruptcy courts and the local bankruptcy community including the Bankruptcy Bar, U.S. Trustee's Office, Standing and Panel Trustees, creditor and debtor populations served by the Court in San Diego and Imperial Counties as well as the general public.

Finally, the Bankruptcy Court notes with sadness the loss of Judy Howard, PC Systems Administrator, who was diagnosed with inoperable cancer in the Spring. She retired in November after 19 years of service and returned to her native Rhode Island where she passed away amongst family and friends on December 29. She will be missed.

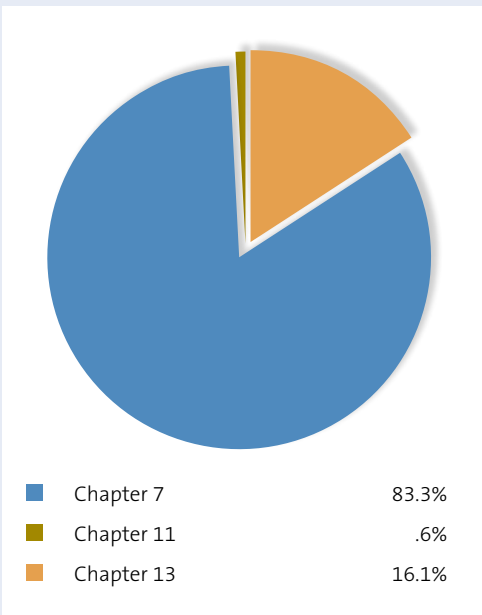
Hon. James W. Meyers' Upcoming Retirement and Appointment of New Bankruptcy Judge By Ninth Circuit Court of Appeals

The Honorable James W. Meyers is preparing to retire from the Bankruptcy Court for the Southern District of California after a very distinguished career with more than thirty-three years of serving on the bankruptcy bench. Judge Meyers was appointed to the Court on January 5, 1976. He previously served as the Chief of the Appellate Section, Office of the U.S. Attorney for the Southern District of California and as a Trial Attorney for

the U.S. Department of Justice, Washington, D.C. Judge Meyers served as the Chief Judge of the Court from 1984 until 1995. He served on the Ninth Circuit's Bankruptcy Appellate Panel from March 1985 until April 2000, and served as presiding judge from 1996 until 1998. Judge Meyers also served on the Judicial Conference of the United States' Advisory Committee on Bankruptcy Rules from 1989 until 1995. Judge Meyers has recently been appointed to serve as a Recalled Judge and will continue to maintain a chambers and courtroom in the Jacob Weinberger Courthouse.

The Ninth Circuit Court of Appeals has announced it will appoint San Diego attorney Margaret M. Mann to fill the position created by Judge Meyers' retirement, contingent upon successful completion of background clearances. Ms. Mann is presently a partner in the San Diego office of Sheppard Mullin Richter & Hampton, LLP, representing clients in commercial transactions, bankruptcy matters, and litigation.

*Type of Cases
Fiscal Year 2009*





Deputy Clerks of the U.S. Bankruptcy Court for the Southern District of California

Improving Service to the Community

As part of the Court's ongoing efforts to improve service to the Bar and the public, the Court implemented the following initiatives:

- Developed an online registration system for authorized court filers to receive their CM/ECF training. This system simplifies the process for registering with the Court prior to completing the required training. The system includes a database that the Court can access for quick retrieval of Registered CM/ECF User information. The registration system has been shared with other courts throughout the Judiciary.
- Posted educational "Bankruptcy Basics" videos on our internet website to assist *pro se* debtors and the general public with educational materials to provide them with information regarding the bankruptcy process. This series of videos is also made available at the front counter of the Clerk's Office as a DVD that can be viewed at home. Additional written materials have been prepared to

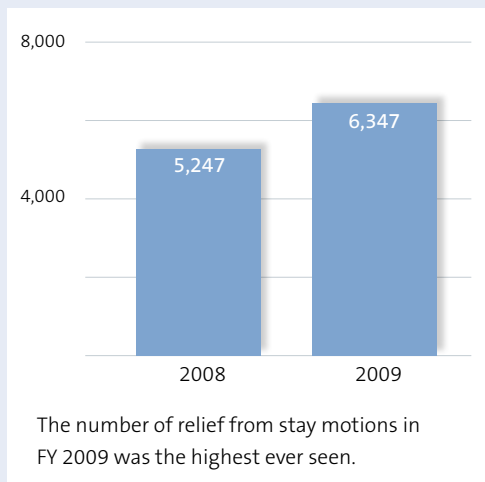
inform *pro se* debtors about the requirements of a Debtor in bankruptcy.

- The Court modified our Local Rules and "fillable pdf" bankruptcy forms to conform to the new December 1, 2009 Federal Rules of Bankruptcy Procedure Amendments, which changed nearly all of the time periods contained in the Federal Rules.

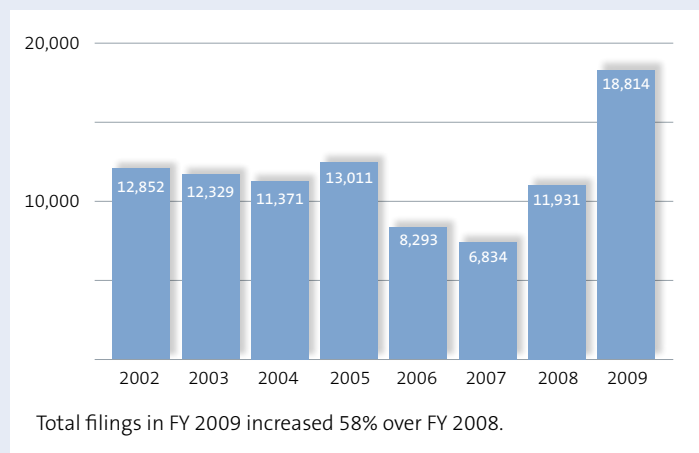
Clerk's Office Reorganization and Training

After several years of downsizing and reduced staffing allocations, the Clerk's Office finds itself in a growth mode in response to the rapidly increasing caseload. Rather than just adding staff in the same fashion as the past, the Clerk's Office underwent an examination of all its work processes. The Clerk's Office developed a reorganization plan that not only improves workflow but also reflects the changes in the Judiciary's personnel system and the impact of over 10 years of electronic filing. The end result is still in the process of implementation but the

Relief from Stay Motions



Annual Filings by Fiscal Year



first step was the recent recruitment, hiring and training of six new Public Services deputy clerks. The recruitment process included the development of an applicant database which allowed applicants to apply through the Court's internet website. The Court received and screened over 650 applications.

- The Clerk's Office launched a new hire orientation program titled "Welcome Aboard." This program updates the Court's approach to bringing new employees onboard and integrating them into the workplace culture.

- As part of its reorganization efforts, the Clerk's Office has revised the job duties and position descriptions for the public services and case administrator deputy clerks, creating several levels of positions to allow for future promotional opportunities.
- The Clerk's Office began a bi-monthly Court Roundtable forum focusing on discussions and information of interest to the staff. Topics to date have included improving communication, dealing with change, managing stress, personal emergency preparedness, and serving the emotional customer.

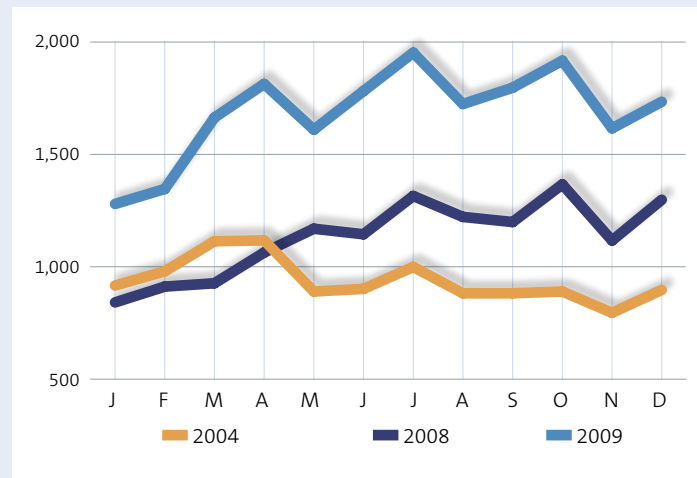
- Lou Gill of the AO San Antonio Training Center provided a Customer Service Skills Training Workshop to all Clerk's Office Operations Staff.

- The Clerk's Office Human Resources Section provided training to all staff and Judges on JENIE e-Service, the Judicial Benefits Center and elec-

tronic Official Personnel Folders (eOPF). Employees now have the ability to view their earnings statements, make changes to their name, address, direct deposit, allotments and W-4 information through JENIE e-Service. They can enroll or change their health insurance, life insurance, flexible spending and commuter benefits through the Judicial Benefits Center. Also, personnel records are just a click away with eOPF. Employee education is imperative to communicate the benefits of these new tools and resources.

Total filings in FY 2009 increased 58% over FY 2008.

2004-2008-2009 Monthly Filings



updated notes fields and enhanced reports including the Order Activity and Order Query Reports.

- The Court continues to work with the Administrative Office in providing development and programming assistance for CM/ECF Version 4.0 which is anticipated to be available for release in the Spring of 2010.

Technology and Operational Enhancements

The Bankruptcy Court continues to implement technological improvements and initiatives to improve its operations. Some examples of these types of activities in 2009 include the following:

- New CM/ECF Versions 3.2 and 3.3 were installed in March 2009. The latest versions of CM/ECF enabled the Court to implement the new Judicial Conference Transcript Policy in which transcripts are not available for public viewing until 90 days after they are filed. Also, the new CM/ECF versions include enhanced docket report features such as viewing multiple pdf documents on the docket reports of the cases and new cascading menus. CM/ECF Version 3.3 also contains the new statistical requirements regarding the asset and liability levels for case opening to be gathered by the Executive Office of the U.S. Trustees (EOUST).
- The automated orders processing application was updated by installing the newest version of e-Orders (e-Orders Version 3.2). This version includes
- The Court implemented a new e-Order process for Chapter 13 Plan Confirmation Orders which allows the order to be reviewed by the Chapter 13 Standing Trustees and then be forwarded to the Judge for approval.
- The auto-close feature of CM/ECF was set-up for use in Chapter 13 cases after the standard software was customized for local requirements.
- The Clerk's Office upgraded its scanner infrastructure by replacing high speed scanners, adding desktop scanners, and implementing new scanning software which scans directly to pdf format. A second scanning software application was customized to give staff a choice of applications.
- The Clerk's Office continues to work with the Eastern District of Virginia Bankruptcy Court to integrate the CR/ECF Cash Register Program with the new "beta" test version of JFINSYS, the financial reporting system used in a majority of the nation's bankruptcy courts. The Clerk's Office is currently testing the

Bankruptcy Caseload Statistics
Summary Chart (All Filings FY 2002 - 2009)

	2002	2003	2004	2005	2006	2007	2008	2009
Chapter 7	10,342	10,044	9,589	11,290	7,158	5,308	9,888	15,676
Chapter 9	0	0	0	0	0	0	0	0
Chapter 11	64	119	46	49	36	43	57	111
Chapter 12	0	0	0	0	2	0	0	3
Chapter 13	132,446	2,166	1,736	1,672	1,097	1,492	1,986	3,024
Totals	12,852	12,329	11,371	13,011	8,293	6,843	11,931	18,814

During the twelve-month period for Fiscal Year 2009 ending September 30, 2009, there were a total of 18,814 new cases filed in the Southern District of California Bankruptcy Court. The most recent monthly caseload statistical figures represent a substantial increase over the previous fiscal year.

new JFINSYS application to ensure all of the necessary functional and reporting features are working properly.

- The Court's automated calendaring program (VCal) was upgraded to Version 6.4 in November 2009. This new upgraded version of the automated calendaring system will enable the courtroom deputy clerks to track the new SARD statistical requirements for hearing judge and courtroom trial activity reporting.
- The Court installed the new Internal Controls Evaluation (ICE) Software in June 2009. This new software package enables the Clerk's Office to ensure compliance with the audit and internal controls guidelines established by the Administrative Office of the U.S. Courts.
- The Court implemented the new Uniform Final Reports for trustees in the CM/ECF System for Chapter 7, 12 and 13 cases as required by the Bankruptcy Abuse Prevention and Consumer Protection Act. The Clerk's Office worked

directly with the U.S. Trustee's Office to ensure the April 1, 2009 deadline was accomplished for this project.

- The Clerk's Office is preparing to use the Bankruptcy Noticing Center (BNC) to send out all orders and judgments noticed by the Clerk's Office, saving work processing time and substantial postage costs now incurred by the Clerk's Office.

Space and Facilities Maintenance Projects

Maintaining a nearly 100-year old historic building is not without its challenges. The effect of aging took its toll on the copper roof over the courtroom assigned to Judge Adler, resulting in significant leaks during Spring rains. As a result, the roof was replaced with new material that is more energy efficient. The General Services Administration (GSA) took advantage of the need for a roofing contractor to complete this work and added to the project the resurfacing of the roof over Judge Taylor's courtroom with a similar, heat reflective product. GSA has also been required to take steps to eradicate termite damage to the building and is planning additional repairs to the wood in 2010.



U.S. Pretrial Services

THE OFFICE OF PRETRIAL SERVICES was established in 1989 to comply with the requirements of the Bail Reform Act of 1984. Along with the Bail Reform Act, the mission of the U.S. Pretrial Services is defined by the Speedy Trial Act of 1976 and the Pretrial Services Act of 1982. The Pretrial Services Office conducts background investigations on all defendants charged with federal criminal offenses, and provides judicial officers with reports and recommendations for bail and release conditions. The office also supervises released defendants, performs pretrial diversion investigations, and supervises persons assigned to the diversion program. In addition, as part of its supervision activities, the office performs urinalysis drug testing. There are currently 40 officers and 17 staff in the Pretrial Services San Diego Office, and seven officers and one staff in the El Centro Office.



Lori Garofalo
Chief U.S. Pretrial Services Officer

In Fiscal Year 2009, United States Pretrial Services in the Southern District of California activated 7,190 cases. Of those 7,190 cases, 3,835 defendants were interviewed by Pretrial Services

In the broadest of terms, it is our responsibility to collect, verify and report to the judicial officer prior to the release hearing, information pertaining to the pretrial release of each individual charged with a Felony or a Class A Misdemeanor Federal criminal offense. We then recommend release conditions and supervise any defendants released into our custody.

Officers prior to their initial court appearance. Additionally, Pretrial Services Officers supervised 1,070 defendants placed on pretrial supervision during the year.

Overall release rates for the year ending June 30, 2009 were 41.6%; however, by removing immigration cases our true release rate is 50.7%.

Global Positioning System (GPS) Monitoring has provided a tremendous savings in regard to detention space and savings. With the idea that without GPS Monitoring a defendant would remain in custody, the cost savings to the Department of Justice in custodial cost alone is over \$1.2 million for 115 defendants. Due to the large number of GPS cases, all senior officers carry a case load often requiring night and weekend supervision duties. To carry out their after hour duties, the officers are equipped with Blackberries, laptops and wireless cards.

The Pretrial Drug Laboratory performed a total of 26,796 drug screens and 1,305 GC/MS confirmations for pretrial and probation during the year. This fiscal year, marijuana was the drug of choice followed by amphetamines and opiates.



Officers and staff of the United States Pretrial Services, El Centro Office



Officers of the United States Pretrial Services in the Southern District of California



U.S. Probation Office

2009 CONTINUED THE TREND of the past several years, of increased criminal filings in the district, which were reflected in a rise in the Probation Office's workload and staffing needs. As of the end of Fiscal Year 2009, we had 168 employees on staff. From October 1, 2008, through September 30, 2009, our Investigation Division completed a total of 4,716 reports compared to last year's 3,889. During our typically slow months of January and February, we experienced a 65% increase in referrals over the same months in 2008. Referrals have remained fairly steady since that time. Staffing slightly increased from 40 to 46 officers, with eight supervisors in the division. The Investigation Division is supported by 18 probation services assistants and three clerical supervisors. Officers and support staff work cooperatively to gather investigative and background information on a defendant and provide quality reports to the Court.



Kenneth O. Young
Chief U.S. Probation Officer

The most significant workload increase for our Investigation Division during this past year was in Presentence Reports, with an average of 267 per month as compared to 227 per month the previous year. We continue to see more firearms and internet child pornography cases although

As the United States Probation Office serving the Southern District of California, with a commitment to justice...

<i>We Provide</i>	the Court with accurate and objective information, and with sound recommendations, to support fair sentences.
<i>We Protect</i>	our community by monitoring offenders and enforcing Court Orders.
<i>We Promote</i>	positive individual change by addressing offenders' needs through effective use of community resources.

the vast majority of our cases are border related crimes. Criminal History Reports also continued to rise this year, with the monthly average up to 54 reports from last year's 46 per month. Additionally, to address the large number of Supplemental Reports to the Bureau of Prisons which our office completed this year, four temporary duty officers were brought in from other districts for 30-day tours to assist with this portion of our growing workload.

Our Investigation Division continues to face logistical challenges in conducting timely presentence interviews due to constant inmate movement and defendants being housed at outlying facilities, which often can necessitate rescheduling of the presentence interview. During the latter part of Fiscal Year 2009, both the Court and probation office were also impacted by periodic quarantines at detention facilities due to the H1N1 strain of influenza.

To assist with some of these challenges, we regularly utilize video conferencing for presentence interviews with defendants who remain in custody and are housed at facilities outside the metropolitan area.

The Probation Office has two sets of video conference equipment which connect to two of the outlying facilities (San Luis, Arizona, Detention Center and CCA in Otay Mesa, California). For interviews with defendants housed at Imperial County Jail, we use the U.S. Marshals video conference equipment located in the courthouse. We also now have video conference equipment in our satellite office in El Centro which allows us to conduct video conference interviews with defendants residing in Imperial Valley and eliminates the need for those defendants to travel to San Diego for the presentence interview. With video conferencing becoming more commonplace throughout the country, we have also been able to more regularly accommodate defendants residing in another jurisdiction and save them the time and expense of returning to San Diego to be interviewed.

In August, members of our Investigation Division participated in a program to provide information and assistance to our magistrate judges on sentencing practices. The program was well received by our local bench and has the potential to be replicated in other districts.

The Probation Office maintains a close working relationship with the Bureau of Prisons, Residential Reentry Centers (RRCs), to ensure a smooth transition for offenders released from institutions to the community.



Staff of the U.S. Probation Office at their annual retreat in Palm Springs

The Supervision Division continued to focus on aligning its supervision practices with national policy, and incorporating evidenced-based practices into our work.

In addition to the growth in our presentence workload, the Probation Office experienced a 10% growth in our offender population under supervision in FY 2009. Currently, 40 probation officers and 8 supervisors supervise approximately 2280 offenders, many of whom have serious drug, mental health and/or extensive criminal histories. This year, the costs associated with our Drug Aftercare Program experienced a 31% increase over FY 2008, leaving a shortfall of \$55,000, which was taken out of other local funds. Our mental health and sex offender treatment programs experienced a combined decrease of 14% over FY 2008, despite a slight increase in our sex offender population under supervision.

The Supervision Division continued to focus on aligning its supervision practices with national policy, and incorporating evidenced-based practices into our work. This year, an interim Risk and Needs Assessment Tool was introduced to the supervision offi-

cers to systematically assess each offender's risk and need factors. Probation officers are now formally assessing the risks, needs and strengths of each offender and adjusting their supervision field contacts based upon an appropriate specified level of supervision. This classification system has not only enabled officers to focus their attention on the offenders presenting the most risk to themselves and the community, but has also helped them identify key areas of an offender's life requiring improvement for success beyond the period of supervision.

FY 2009 was also a contracting year for the Probation Office and our drug and mental health aftercare treatment programs. In an effort to ensure the district contracted with treatment programs to meet the needs of our offender population and new national initiatives, including intensive outpatient treatment, we held our first Bidder's Conference, designed to provide potential treatment providers with an overview of the bidding process and local



Staff of U.S. Probation, El Centro Office

and national requirements. As a result of a successful conference, we secured contracts with five new drug, mental health and sex offender treatment providers throughout San Diego and Imperial Counties.

The Probation Office continues to actively participate in community outreach endeavors throughout the county. In addition to the Fed Facts program, a drug education program from a legal perspective, and Project L.E.A.D., a law-related education program targeted toward at-risk fifth graders, the probation office hosted seventeen high school students, involved in a summer school course at the University of California, San Diego, entitled, "Social Problems and Civic Actions." The afternoon session included guest speakers from the Bureau of Prisons, Metropolitan Correctional Center and Residential Reentry Center, and several probation officers, who informed the students of the combined efforts to prevent recidivism, transitional programs within the community and joint community partnerships.

In June, the Probation Office hosted our annual District Conference in Palm Springs, California, which was attended by over 110 staff members. Two excellent programs were presented by guest speakers and we also had several smaller break-out sessions which

provided training relevant to all members of our staff. As is our tradition, the conference concluded with our annual Employee Recognition Awards during which numerous members of our staff were formally recognized by their co-workers for their outstanding contributions to our agency over the course of the past year.

The Probation Office is committed to ongoing training and professional development for all of our staff. As part of this commitment, this year all managers within our organization participated in a program called the Management Excellence Survey wherein all staff was provided with the opportunity to provide candid, confidential feedback on their working relationships with their supervisors. The process was a success for all involved and allowed our management group to recognize our achievements as well as plan for future professional growth.

This past year continued to present many challenges to the Probation Office. However, because of the talent and dedication of our entire staff, these challenges were met with enthusiasm and commitment. Teamwork is one of our core values as well as one of the main reasons we are able to provide such outstanding service to our Court and the community.

The Probation Office is committed to ongoing training and professional development for all of our staff.



U.S. Marshals Service

THE U.S. MARSHALS SERVICE IS AN INTEGRAL PLAYER in the accomplishment of the Department of Justice's mission. While the duties of the Marshals are diverse, protecting the federal courts and the integrity of the federal judicial system remains a top priority.

Staffing

President George W. Bush appointed George W. Venables as the United States Marshal for the Southern District of California on October 10, 2008. Eighty-one Deputy U.S. Marshals are currently assigned to the District as well as additional support staff who serve as Detention Enforcement Officers, District Security Officers and in Administrative Support positions. This staff covers duties at the main office in San Diego, the sub-office in El Centro, the San Diego Fugitive Task Force, and the Seized Vehicle Facility in Otay Mesa.



George W. Venables
United States Marshal

While the duties of the Marshals are diverse, protecting the federal courts and the integrity of the federal judicial system remains a top priority.

Judicial Security

The U.S. Marshals Service is responsible for ensuring the safety of the federal judiciary and the court family as well as the physical security of the U.S. Courthouse facilities. The Court Security Officer (CSO) Program consists of 55 CSO positions that provide a highly visible security presence at posts throughout the U.S. Courthouses. Deputy U.S. Marshals are assigned to investigate any threats or inappropriate communications related to the judicial family. Deputies also coordinate and staff a variety of special details related to judicial security.

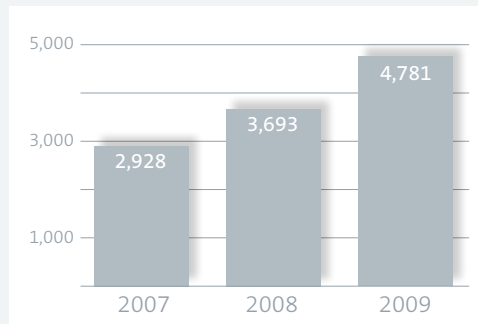
Court Operations

Deputy U.S. Marshals provide courtroom security for the district judges and magistrate judges. Deputies also produce all in-custody defendants for court proceedings. Prisoner productions increased noticeably during the year, reflecting the continuing rise in cases in the District since 2007.

Prisoner Operations

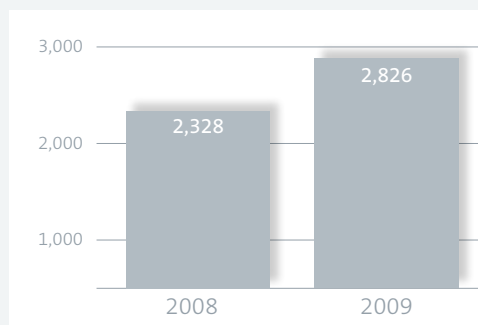
The U.S. Marshals Service houses prisoners during their court proceedings in this District at the Metropolitan Correctional Center and at nine contract facilities in the region. In addition to coordinating the prisoner movements for their court appearances, USMS staff manages the

Average Monthly Number of Prisoners Produced for Court Appearances



distribution of prisoners at the various facilities based on security concerns, court case status and other issues. Although available jail space within the district was filled beyond capacity during FY 2008, prisoner population again increased during FY 2009. As a result, the USMS has increasingly utilized out-of-state facilities to house prisoners being prosecuted in the District.

Average Daily Prisoner Population



Investigative Services

The U.S. Marshals have administrative responsibility for all arrest warrants issued by the federal courts. In addition, the USMS has established itself as the primary federal agency to provide assistance to state and local authorities in fugitive investigations. Relying on the network of USMS fugitive task forces, deputies track down wanted persons across the country and internationally. Locally, the USMS coordinates the San Diego

Regional Fugitive Task Force. Approximately 45 investigators from nine different agencies work together on the task force to apprehend fugitives wanted for charges such as crimes of violence, narcotics offenses and sex crimes. In FY 2009, the task force arrested 2,205 people on federal and state warrants.

Special Assignments

District Deputy U.S. Marshals have manned special assignments throughout the country and internationally over the past year. These temporary assignments have been in response to critical needs for manpower and expertise for functions such as high threat trials, witness security, judicial security, special enforcement operations and support of operations in Iraq. Our office has the largest number of deputies assigned to the USMS Special Operations Group (SOG), a highly trained national tactical team comprised of deputies throughout the country.

Community Education

The U.S. Marshals Service hosts numerous schools and other groups to its offices throughout the year. Also, and Deputy U.S. Marshals visit local schools and colleges in an effort to educate students about gangs, drugs, and the benefits of being a U.S. Marshal. Favorite activities include a demonstration by Ella, the U.S. Marshals canine deputy, as well as a tour of the prism room, used for advanced instruction training.



Deputy U.S. Marshals Toni Wheatley and Jaime Stevenson talk to students at Carver Elementary School



Children of Court employees toured the U.S. Marshals Offices during Bring Your Child to Work Day



U.S. Attorney's Office



Karen P. Hewitt
United States Attorney

KAREN P. HEWITT WAS SWORN IN as the United States Attorney for the Southern District of California (SDCA) on February 16, 2007. As United States Attorney, Ms. Hewitt is the chief federal law enforcement officer in San Diego and Imperial Counties, and represents the United States Department of Justice.

Department of Justice priorities include the prevention of terrorism and the promotion of the nation's security; prevention of crime, enforcement of federal laws, and representation of the rights and interests of the American people; and ensuring the fair and efficient administration of justice. The USAO is committed to carrying out this mission by strengthening our partnerships with federal, state, and local law enforcement, community groups, foreign countries, and others. We are committed to providing leadership to those who fight crime and administer justice at all levels. We seek to maintain a high-level capability to deter and respond quickly to newly emerging crime threats, including those posed by new technology and criminal strategies. Ethics represents the cornerstone of government service, and the USAO strives to maintain the highest levels of integrity and trustworthiness.

Our Office

For over forty years, the USAO has committed itself to both protecting the safety and security of the citizens of San Diego and Imperial Counties by conducting criminal prosecutions and to representing the federal government in civil litigation. Our office is one of the largest in the nation, with authorized positions for a total of 138 AUSAs, six full-time and 78 part-time Special Assistant U.S. Attorneys, as well as 131 support personnel. The El Centro branch location is staffed by two Assistant U.S. Attorneys and two support staff members.

We have the third highest total criminal caseload of all of the U.S. Attorneys' Offices in the country, in large part because of our extensive shared border with Mexico. Our AUSAs fight: domestic and international terrorism, public corruption, export control violations, investor fraud, large-scale criminal enterprises involving fraud and narcotics, drug trafficking at the border, alien smuggling, criminal alien re-entry, illegal possession and use of firearms, internet crimes against children, assaults against federal officers, bank robberies, environmental crimes, and health care fraud, among other

federal crimes. In FY 2009, our office filed felony charges in over 4,800 cases; our immigration, narcotics, gun, violent crime, and child pornography felony filings represented the highest on record. The Appellate Unit of the Criminal Division filed 217 briefs during that same period and argued more than 50 cases before the United States Court of Appeals for the Ninth Circuit.

The USAO has forged close partnerships with federal, state, and local law enforcement agencies to maximize efficiency in the investigation and prosecution of crimes affecting the District. In border-related investigations and prosecutions, the USAO has partnered with components of the United States Department of Homeland Security (DHS), U.S. Customs and Border Protection Office of Field Operations, U.S. Border Patrol, and U.S. Immigration and Customs Enforcement. Among the initiatives with which our office is affiliated are the Violent Crimes Task Force, Project Safe Neighborhoods, the Organized Crime Drug Enforcement Task Force, the Internet Crimes Against Children Task Force, Project Safe Childhood, the Cross-Border Violence Task Force, the Major Mexican Traffickers Task Force, the Marine Task Force, the Hate Crimes Working Group, the Health Care Fraud Task Force, the California Border Alliance Group (CBAG – Southwest Border High Intensity Drug Trafficking Area), the San Diego County Hazardous Waste Task Force, the Joint Terrorism Task Force, and the Anti-Terrorism Advisory Council.

The USAO's Civil Division represents the United States and federal agencies and employees in a wide range of matters. In FY 2009, Civil Division AUSAs responded to or initiated over 350 civil cases and matters. This litigation included complex civil actions involving Constitutional claims, immigration, torts, including medical malpractice, employment discrimination, and a variety of cases challenging federal programs and policies.

In FY 2009, our Civil Division continued its work in support of the DHS's immigration control objectives by handling several land condemnation actions. These include fee takings connected with the Triple Fence Project at the far western edge of the international border. Civil Division AUSAs are also handling a complex class action suit involving the Social Security Administration and an increasing number of precedent-setting habeas corpus actions filed by aliens in immigration detention facilities in San Diego and Imperial Counties.

The USAO's Affirmative Civil Enforcement (ACE) Unit litigates all civil fraud actions on behalf of the United States in district court. In FY 2009, ACE AUSAs investigated and litigated cases involving healthcare fraud, kickbacks, product substitution in military contracts, and an international freight carrier's failure to prevent drug smuggling via its transportation system. In addition, the Financial Litigation Unit is responsible for all criminal and civil asset forfeiture matters and the collection of money resulting from the imposition of fines, restitution orders and other court judgments.



Office of the United States Attorney for the Southern District of California



Federal Defenders of San Diego, Inc.

Members of the Federal Defenders team share a commitment to excellence and a passion for justice in representing indigent people accused of a myriad of federal criminal offenses. We combine hard work, constant training and intense dedication in the defense of each of our clients.



Reuben Camper Gahn
Executive Director

FEDERAL DEFENDERS OF SAN DIEGO, INC.

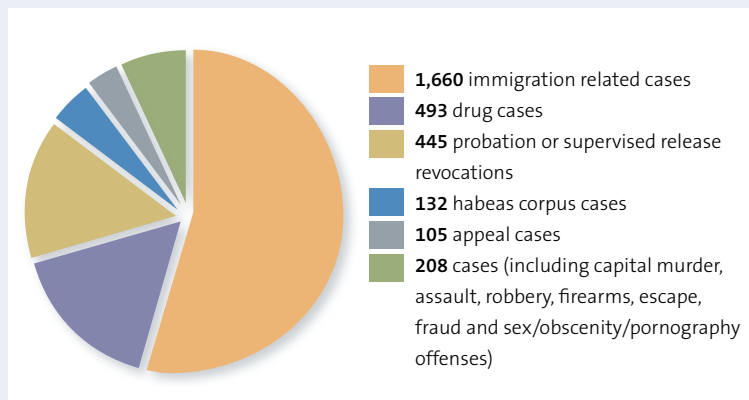
during Fiscal Year 2009 had a full-time staff of 98 persons. The office experienced a 10.4% increase in the number of appointed cases over Fiscal Year 2008. The number of appointed immigration cases remained relatively stable, but the number of appointed drug cases increased by 62%. The office was appointed to a total of 3,360 cases and represented an additional 3,356 defendants at their initial appearance for arraignment, appointment of counsel and setting of bail. This latter number represents an increase of nearly 20% from 2008. Of the 3,360 cases

to which FDSI attorneys were appointed, 1,628 were immigration related cases, 799 were drug cases, 490 were probation or supervised release revocations, 136 were habeas corpus cases, 123 were appeal cases, and 25 were consultation cases. The remaining 160 cases included capital murder, assault, robbery, firearms, escape, fraud, and sex/obscenity/pornography offenses.

Each fiscal year the office provides training seminars for the Criminal Justice Act panel attorneys. FDSI had renowned speakers for our in-house training, so we invited all the panel attorneys to attend. Judging by the evaluations, the panel was very impressed with this training which accounted for ten hours of Criminal Justice Act training supplied by Federal Defenders. We also conducted numerous trainings in-house for our own staff attorneys.

Our office remains committed to having a diverse staff. We believe a diverse workforce makes us a better organization. Therefore, we regularly recruit at a variety of law schools. This year, we conducted interviews at four minority career fairs, four public interest job fairs and recruited on-campus at seven law schools. We also interviewed many people from local law schools and law schools around the country who were direct applicants to the office. This year's new class consists of three attorneys and five law graduates. Of the eight new hires, four are women and four are men; three are minorities and one is GLBT.

Types of Cases





Faces of the Southern District of California





Significant Events

District Conference

The Southern District of California's District Conference and Retreat was held on April 30 and May 1, 2009, at the Balboa Bay Club in Newport Beach. Judges, Court Unit Executives, and Lawyer Representatives enjoyed spectacular views of the Newport Harbor during Thursday evening's reception and dinner. Lawyer Representative co-Chairs Margaret Mann and John Scherling's diligent efforts in finding the perfect venue for the annual conference and retreat were certainly appreciated by all in attendance.

The Friday morning program prepared by the Lawyer Representatives was both enlightening and entertaining. After Chief Judge Gonzalez welcomed participants to the conference, United States Attorney Karen Hewitt and Executive Director of Federal Defenders of San Diego, Inc., Reuben Cahn, gave an update on their respective offices' priorities and goals for 2009. Superior Court Judge Herbert Hoffman (Ret.) then led a panel discussion regarding the perceptions which jurors bring to jury service, and their subsequent opinions regarding the court system after they have served on a jury.

Newly appointed Border Czar, Alan Bersin, joined Mexico's Consul General, Remedios Gomez, and Dr. David Shirk of the University of San Diego's Trans-Border Institute, in discussing possible solutions to the problems shared by the United States and Mexico in this border region, including violence, drug trafficking, weapon sales, and security. In addition, because the



2008-09 Lawyer Representatives

conference occurred just as the new H1N1 flu virus began spreading from Mexico into the United States, the discussion focused on ways to contain the illness and avoid a pandemic outbreak in both countries.

After a brief break, the program turned to financial concerns with a panel discussion of the issues facing both the Bankruptcy Court and District Court as a result of President Obama's Stimulus and Homeowner



Panel on border relations

2008-09 Lawyer Representatives

Margaret Mann *(Co-Chair)*

John Scherling *(Co-Chair)*

Charles Berwanger

Nancee Schwartz

Shirli Fabbri Weiss

Mark Mazzarella

Patrick O'Toole

David Bartick

William Grauer

Keith Rutman

Andrea Kimball

Radmila Fulton

Randy Grossman

Alan Mansfield

Meryl Maneker

Stephen Swinton

Monty McIntyre

David Blair-Loy

Randall Kay

Anne Perry

Steven Hubachek

David Schlesinger

Christopher Latham

(Chair, Lawyer Representatives

Coordinating Committee)

Leonard Simon

(At Large Conference Member)

Affordability Plans, as well as pending bankruptcy legislation. Housing and real estate expert, Leonard Baron, joined KNBC-TV Channel 7/39's George Chamberlin and several Lawyer Representatives to discuss the continuing decline in the real estate market and how the public and legislators could respond to the crisis.

The day's program concluded with a debate between old school judges and lawyers on the one hand, and their tech-savvy counterparts on the other, regarding the impact of technology on the practice of law. Panelists discussed the ways in which today's technology allows judges and lawyers to work anywhere, at any time, and considered whether the convenience of technology was worth the unavoidable intrusion into



Judge Sammartino and Judge Brewster

personal time. In a timely demonstration, someone's cell phone began ringing in the middle of the discussion.

National Bar Association Lifetime Achievement Award

During the National Bar Association's 84th Annual Convention in San Diego, Senior District Judge Napoleon A. Jones, Jr. was honored with the Judicial Council's Lifetime Achievement Award. The award was presented during the Judicial Council's annual Thurgood Marshall Judicial Awards Luncheon, on August 5, 2009. Judge Jones' wife, daughter, brother-in-law, two grandsons and niece joined his staff, close friends, and many of the judges of the District Court and San Diego Superior Court to celebrate this significant award.

Judge Jones was dedicated to seeking out a profession where he could help others and pursue justice. Judge Jones earned his Master's degree in Social Work from San Diego State University in 1967, and was a social worker in Foster Home Placement and Child Protective Services before attending law school. After graduating from the University of San Diego Law School in 1971, he worked first at California Rural Legal Assistance in Modesto, California and then at Defenders, Inc. in San Diego, providing

legal services to impoverished and indigent people. Judge Jones began his judicial career when he was appointed to the San Diego Municipal Court in 1977. He was subsequently elevated to the San Diego Superior Court in 1982, and was appointed to the federal bench on September 15, 1994.



Judge Napoleon Jones with his staff and wife, Dr. Rosalyn Baxter-Jones (right)

A member of numerous professional organizations, Judge Jones believed the greatest benefit of being a judge was creating an atmosphere where justice can be pursued. Although he handled the full range of civil and criminal cases during his career on the state and federal bench, he chose to focus his caseload almost exclusively on civil rights cases after he assumed senior status in 2007. Judge Jones passed away on December 12, 2009.

Local Rules Amendments

In light of the impending December 1, 2009 amendments to the Federal Rules of Civil Procedure, the Court convened a new Local Rules Committee to review its Local Rules and recommend necessary and desirable changes. The Committee, co-chaired by District Judges Marilyn Huff and Barry Moskowitz and Magistrate Judge Anthony Battaglia, was made up of both civil and criminal practitioners as well as Court staff, who combed through the existing Local Rules looking for inconsistencies with the new time conventions set forth in the Federal Rules as well as outdated provisions. For example, although some Local Rule Amendments were made at the time the Court began accepting electronic filings in 2006, there were several Local Rules which were largely obsolete in the new era of CM/ECF.

The Committee's work resulted in amendments to a total of 27 separate Local Rules, all of which are set forth in the Court's General Order 575. The Court received minimal public comment on the proposed Rule changes, all of which went into effect along with the Federal Rules amendments on December 1, 2009.

James Wagstaffe Federal Civil Procedure Seminar

On October 19, 2009, James Wagstaffe traveled to San Diego to speak to the judges and law clerks about federal civil procedure and, particularly, subject matter jurisdiction. Mr. Wagstaffe is a nationally-known speaker on federal civil procedure, serves as an instructor at the Federal Judicial Center's "New Judges Workshops," and is co-author of the widely-used Federal Civil Procedure Before Trial (Rutter Group 2008). During the brown bag luncheon, Mr. Wagstaffe engaged the audience in a discussion of the various ways in which judges and law clerks act as the gatekeepers for the federal courts, and wagered that each judge had at least three cases on his or her docket for which there exists no federal subject matter jurisdiction. All those who attended the seminar, including those judges and law clerks who had heard Mr. Wagstaffe speak on previous visits to the San Diego courthouse, came away with some new insight on federal civil procedure.

Bar Admissions Ceremonies

On June 2 and December 1, 2009, many of the judges, as well as the Clerk of Court, Sam Hamrick, participated in the semi-annual bar admissions ceremony. During these ceremonies, 298 attorneys were admitted and sworn into the United States District Court for the Southern District of California.

On October 19, 2009, James Wagstaffe traveled to San Diego to speak to the judges and law clerks about federal civil procedure and, particularly, subject matter jurisdiction.



Federal Bar Association

Summary of 2009 Events

The San Diego Chapter of the Federal Bar Association had a successful year in 2009 sponsoring a variety of social and educational programs. The Federal Bar Association recognized the efforts of our Chapter by awarding it the Presidential Excellence Award, Presidential Citation Award, and Meritorious Newsletter Award at its annual meeting and convention in September 2009.

“Lunch and Learn” About the Immigration Justice Project

In February 2009, the FBA joined the San Diego County Bar Association in hosting a “Lunch and Learn” program about the Immigration Justice Project. The American Bar Association started the Immigration Justice Project in San Diego in 2008 to promote due process and access to justice at all levels of the immigration and appellate court system. Volunteer attorneys for the Immigration Justice Project help advise detainees of their legal rights and identify worthy cases for individual pro bono representation. The FBA sponsored the event to help the Immigration Justice Project recruit volunteer attorneys. The event



Chief Judge Irma E. Gonzalez and the officers of the San Diego Chapter of the Federal Bar Association

featured distinguished speakers, including the Honorable M. Margaret McKeown of the Ninth Circuit; the Honorable Rico J. Bartolomei of the Immigration Court; Mr. Thomas Wells, President of the American Bar Association; Ms. Elizabeth Sweet, Director of the Immigration Justice Project; and Ms. Ginger Jacobs, a pro bono volunteer and local immigration attorney. More than 95 attorneys attended the event.

Open Doors to Federal Courts

The FBA helped the Court sponsor this annual community outreach program on March 26, 2009. The program is designed to educate high school students regarding the operations and functions of the federal courts. The FBA organized a panel discussion of local attorneys discussing their non-traditional paths to law school. The panel was moderated by Stan Panikowski and speakers included Clerk of the Court Sam Hamrick and

local attorneys Justine Phillips and Joseph Raskin. The FBA also provided entertainment for the students during the lunch hour in a game show format based on “Jeopardy” and “Who Wants to Be a Millionaire.”

Annual State of the District Luncheon

The FBA’s annual State of the District Luncheon took place on April 1, 2009. The event enjoyed a record crowd, with approximately 195 attorneys, judges, and other guests in attendance. After an introduction by FBA President Allison Goddard, keynote speaker Chief Judge Irma E. Gonzalez



Chief Judge Irma E. Gonzalez



Many members of the local bar attended the event



Judge Michael Anello (center) and attorneys George Brewster and Fred Berretta



FBA officers listened intently to the Chief Judge’s address

Judge Gonzalez reported that Congress finally appropriated funds for the new courthouse annex, with construction beginning in 2009.

delivered her fifth State of the District Address. Judge Gonzalez reported that Congress finally appropriated funds for the new courthouse annex, with construction anticipated to begin in 2009. Judge Gonzalez also gave an update regarding other important events in the Southern District and responded to questions submitted in advance by members of the local federal bar.

Brown Bag Lunch with the Honorable Michael M. Anello

The FBA co-hosted a brown bag lunch event featuring the Hon. Michael M. Anello

with the Association of Business Trial Lawyers and the State Bar Litigation Section in April 2009. Judge Anello and his law clerks provided information to attendees regarding preferences and protocols for his courtroom.

Bridging the Gap Seminar

Ted Fates, President-Elect of our Chapter, represented the FBA at the San Diego County Bar Association's "Bridging the Gap" program for newly admitted attorneys on June 16, 2009. Mr. Fates participated with U.S. Attorney Karen Hewitt and the Hon. Dana M. Sabraw in a panel discussion regarding practice in the federal courts.



Ninth Circuit Judge Mary Schroeder (center) with past FBA President Stan Panikowski and current President Allison Goddard



Magistrate Judges Stormes, Bencivengo, Brooks and Porter



Magistrate Judge Battaglia moderated the panel with District Judges Miller, Sammartino, Anello and Brewster



Seminar planning committee



On September 24, 2009, the FBA sponsored the Fifth Annual Judith N. Keep Federal Civil Practice Seminar.

Hundreds of attorneys attended the Fifth Annual Judith N. Keep Seminar

How Not to Lose Your Appeal in the Trial Court

Each year, the FBA hosts a program featuring a judge from the Ninth Circuit, and this year's program was titled "How Not to Lose Your Appeal in the Trial Court." The keynote speaker was Circuit Judge William C. Canby. Other panelists included the Hon. Marilyn L. Huff, the Hon. William Q. Hayes, and local practitioners Lynne Lasry and Eric Isaacson. The program focused on tips for preserving the record for appeal in pre-trial motion practice and at trial. Approximately 100 attorneys attended this event.

Fifth Annual Judith N. Keep Federal Civil Practice Seminar

On September 24, 2009, the FBA sponsored the Fifth Annual Judith N. Keep Federal Civil Practice Seminar. The organizing committee for this year's event

was spearheaded by the Hon. Anthony J. Battaglia, the Hon. Jan M. Adler, FBA President Allison Goddard, and President-Elect Ted Fates. Circuit Judge Mary M. Schroeder gave a keynote address regarding Judge Keep's impact on the legal profession and on the Southern District.

The Judges of the Southern District once again supported the program with enthusiasm. Presenters included Chief Judge Irma E. Gonzalez and Judges Rudi M. Brewster, Jeffrey T. Miller, Larry A. Burns, John A. Houston, Roger T. Benitez, Janis L. Sammartino, Michael M. Anello, Louisa S. Porter, Ruben B. Brooks, Anthony J. Battaglia, Nita L. Stormes, Jan M. Adler, William McCurine, and Cathy A. Bencivengo. Clerk of Court Sam Hamrick provided a Clerk's update on recent improvements to the CM/ECF electronic filing system. This year's event featured videotaped memorials of Judge Keep from Senior Judges Rudi M. Brewster, William B.

Enright, Napoleon A. Jones, Jr., and Circuit Judge M. Margaret McKeown. Everyone was honored by the attendance of Judge Keep's devoted husband, Rusty Block. The seminar concluded with a reception. The Clerk's Office staff also played an instrumental role in making the event a success.



Federal judicial clerks enjoyed the FBA's annual holiday reception

"Behind the Scenes" Courthouse Program

The FBA hosted its annual "Behind the Scenes" program on October 16, 2009. This program offers a special opportunity to learn about the Southern District's courthouse operations and procedures in a small-group setting. Led by FBA Board member Katie Parker, approximately twenty attendees began at the Clerk's Office for a tour and presentation by Clerk of Court Sam Hamrick and Chief Deputy of Operations John Morrill. Magistrate Judge Bencivengo then spoke with the group about the role of the magistrate judges. The program concluded with a visit to Chief Judge Gonzalez's chambers and courtroom and a question-and-answer session with the Chief Judge.

"Making Persuasive Opening Statements" Program

The FBA sponsored a brown bag lunch program titled "Making Persuasive Opening Statements" on November 20, 2009. The presenters included Judge Larry Burns, and attorneys C. Seth Askins and Timothy Scott. Mr. Askins and Mr. Scott gave an opening statement demonstration followed by remarks and comments from Judge Burns. The event offered an hour of Continuing Legal Education and was free to all attendees.

Holiday Law Clerk Reception

The FBA wrapped up its programming year on December 3, 2009, with its traditional holiday reception honoring the new and returning law clerks of the Southern District. The reception took place at Athens Market and also served as the FBA's annual membership meeting. As usual, this event was a celebration of the collegial spirit that pervades the federal bench and bar in San Diego.

San Diego Chapter to Host 2012 FBA National Meeting and Convention

The Chapter also agreed to host the 2012 FBA National Meeting and Convention in San Diego. We have formed a Convention Planning Committee that is beginning to organize CLE and social activities for the Convention. We expect the Convention to take place sometime in or around September 2012. We look forward to hosting other FBA members in America's Finest City, and highlighting the work and accomplishments of the Southern District.



2009 Length of Service Award Recipients

On May 4, 2009, the Court honored its many employees who have a long history of service with the Court and the federal government. The following employees received Length of Service Awards:

45 Year Honoree

Judy English
Judicial Assistant to Judge Brewster

40 Year Honoree

Honorable William B. Enright

35 Year Honoree

Nancy Prewitt
Courtroom Deputy Supervisor

30 Year Honorees

Alan Counts
Chief Deputy of Administration

Barbara Harris
Court Reporter

25 Year Honorees

Honorable Rudi M. Brewster

Yolanda Madueno
Courtroom Deputy

Laura Bostwick
Law Clerk to Judge Houston

Trish Lopez
Courtroom Deputy

Patricia Wlodarczyk
Law Clerk to Judge Hayes

20 Year Honorees

Honorable Peter C. Lewis

Mark Schwartz
Law clerk to Judge Papas and Judge Gallo

Jude Petersen
Case Administrator

15 Year Honorees

Holly Hunt
Pro Se Law Clerk

Ken Scott
Network Systems Supervisor

Norma Franco
Jury Clerk

Karen Beretsky
Pro Se Law Clerk

Naomi Stephens Shedrick
Judicial Assistant to Judge Jones

Elda Avila
Court Interpreter

Susie Chilton
Judicial Assistant to Judge Battaglia

Brenda Tinker
Programmer Systems Supervisor

10 Year Honorees

Lynnette Lawrence
*Electronic Court Recorder/
Relief Courtroom Deputy*

Rhoda White
Pro Se Law Clerk

Jeannette Hill
Court Reporter

Michelle Behning
Courtroom Deputy

5 Year Honorees

Honorable William McCurine, Jr.

Daniel Novoa
Court Interpreter

George Perrault
Courtroom Deputy

Gaby Cazares
Relief Courtroom Deputy

Joe Ocampo
PC Systems Supervisor

Irma Rosado-Christ
Judicial Assistant to Judge Brooks

Lucinda Bush
Court Interpreter

Salvador Castellanos
Court Interpreter

Jessica Harry
Death Penalty Law Clerk

Carolyn Giust
Law Clerk to Judge Major

Gayle Wakefield
Court Reporter



Community Outreach

THE SOUTHERN DISTRICT OF CALIFORNIA has long recognized the importance of community outreach. To that end, the Court participates in a variety of programs designed to educate the community regarding the role of the federal court and to foster the public's trust in the judicial system. These programs include Open Doors to Federal Courts, Judges in the Classroom, Bring a Child to Work Day, and CARE.

For the third consecutive year, the Southern District invited high school students to the courthouse to participate in the Open Doors to Federal Courts Program. On March 26, 2009, approximately 400 students from eight San Diego high schools participated in this year's program. Students were divided among six courtrooms, and participated in an Oxford-style debate regarding the balance between a criminal defendant's right to due process and the public's First Amendment right to free speech. Attorneys from the local bar helped students on each side of the debate formulate their arguments. The presiding judge in each court-



room then guided the students through the discussion, helping students to see how the constitutional guarantees of due process and free speech are relevant to daily life.

Judges in the Classroom is an ongoing program created to supplement the curriculum of San Diego City Schools. A judge is invited to visit a classroom to lecture on the judicial system in action or preside over a mock trial in which the students take on all the roles of the participants in a trial. Fifteen of the Southern District's judges are panel members, who make themselves available to teachers wishing to integrate this program into their curriculum.

Bring a Child to Work Day was held on July 2, 2009 for the children of court employees. Approximately 50 children were invited to the courthouse to learn more about what their parents do when they leave home each morning. The day started with a presentation by Deputy U.S. Marshal Joanne Boyd and her explosive sniffing canine partner, Ella. The group was then divided by age and the youngest participants proceeded to the U.S. Marshal's Office where they learned how Marshals train and apprehend "bad guys." They ended their day by participating in a mock civil trial of the Three Little Pigs vs. The Big Bad Wolf presided over by Magistrate Judge Louisa Porter. Meanwhile, the older children observed the initial appearance and arraignment of mock defendants before Magistrate Judge Papas, participated in their own presentation at the U.S. Marshals Office, and visited the Metropolitan Correctional Center before going to lunch with their sponsors. After lunch, the older students visited with an FBI agent before participating in their own mock criminal trial of students accused of trying to bring fireworks into the



Judge Porter presided over the Three Little Pigs Mock Trial

courthouse. The children learned about the work of pre-trial officers and probation officers as well as lawyers, judges, courtroom deputies and interpreters.

A final program offered by the U.S. Bankruptcy Judges in this district is the CARE program (Credit Abuse Resistance Education). The CARE program is designed for high school seniors and college freshman as an antidote to the overspending and credit abuse which has become prevalent in our society. The bankruptcy judge discusses the severe consequences which result from overspending and credit abuse and suggests ways for the students to avoid these pitfalls in their own lives.

This year the Court initiated a standing committee charged with the continuing responsibility of creating and maintaining our community outreach programs. This committee, co-chaired by District Judge Janis Sammartino and Magistrate Judge Barbara Major, is currently reviewing the district's outreach programs to help coordinate outreach objectives and implement those efforts in the community.





Judges' Activities

IN ADDITION TO KEEPING TRACK of their large criminal and civil caseload, the judges of the Southern District of California are involved in numerous judicial and extrajudicial service projects.

Chief Judge Irma E. Gonzalez has been a speaker at numerous functions sponsored by local bar and community organizations, and has been a panelist at various seminars. She is a member of the Board of Governors of ABTL, a Master of the Enright Inn of Court, a member of the Board of Directors of La Cuna, Inc., a Latino foster care organization, and a member of the Board of Trustees of California Western School of Law. She is a member of the Ninth Circuit Judicial Council, President of the Ninth Circuit District Judges Association, Program Chair of the Ninth Circuit Judicial Conference, a member of the Ninth Circuit Space and Security Committee, and a member of the U.S. Judicial Conference Committee on Judicial Security.

Judge Marilyn Huff is the Chairperson of the Ninth Circuit's Public Information and Community Outreach Committee. She has worked with other districts and the chief judges in the Ninth Circuit to host programs on media relations in the courts. She is Secretary of the Federal Judges Association and on the Executive Committee of the Welsh Inn of Court. She has sat by designation with the Federal Circuit and assisted impacted courts with their heavy caseloads in the Eastern District of California and the Middle District of Florida. She is on the U.S. Judicial Conference Committee on Rules of Practice and Procedure and liaison to the Advisory Committee on Evidence. She has been a speaker on intellectual property law for the ABA, the American Intellectual Property Law Association, the University of San Diego Law School and the Loyola School of Law. She volunteers by musically entertaining hospitalized disabled veterans.

Judge Barry Moskowitz is a member of the U.S. Judicial Conference Committee on Defender Services, the Ninth Circuit Capital Case Committee, and the Ninth Circuit Standing Committee on the Appointment of Federal Public Defenders. He is also a regular food worker in "The Hunger Project" at St. Vincent De Paul homeless shelter and volunteers at Hickman Elementary School.

Judge Jeffrey Miller has served on the Ninth Circuit Jury Instruction Committee. He has also served on the Board of Directors of the Enright Inn of Court. He serves as a speaker and author on various subjects related to federal practice, and was one of the Court's host judges for the Open Doors to Federal Courts Program and Bring Your Child to Work Day.

Judge Thomas Whelan serves on the University of San Diego Law Alumni Board of Directors and is Chair of that group's nominating committee. He is also a member of the San Diego County Judges Association Board of Directors and continues to serve on the Ninth Circuit Jury Instruction

Committee. Judge Whelan is a Master in the Enright Inn of Court and also participates as a judge in local and national moot court competitions.

Judge Larry Burns is a member of the President's Community Council and the President's Advisory Board of Point Loma Nazarene University. In 2009, he also participated in the Masters in Trial Program sponsored by the American Board of Trial Advocates, the Judith N. Keep Civil Practice Seminar, and the Federal Bar Association program on opening statements.

Judge Dana Sabraw is a Master of the Wallace Inn of Court. He also speaks from time to time at various bar association and law school functions. He was one of the Court's host judges for the Open Doors to Federal Courts Program in March 2009.

Judge William Hayes is a Master of the Enright Inn of Court, and is a member and on the Board of Governors of the Association of Business Trial Lawyers Association. Judge Hayes also participates as a judge in various moot court and mock trial competitions.

Judge John Houston visited several schools throughout San Diego County to speak about the federal judicial system, civic responsibility, the importance of education,



Judge Sammartino

and career choices. He is a frequent speaker at local and national level bar association events.

Judge Roger Benitez is a member of the Ninth Circuit Education Committee. He also serves on both the Tribal Relations Subcommittee and Public Relations Subcommittee of the California State-Federal Judicial Council. Judge Benitez is a Master in the Wallace Inn of Court.

Judge Janis Sammartino is the President of the Louis M. Welsh Chapter of the American Inns of Court and chairs the Judicial Advisory Board of the Association of Business Trial Lawyers of San Diego. She is also a member of the Federal Courts Committee of the California Commission on Access to Justice, and is active in several other community legal organizations including the National Association of Women



Judge Miller and a student judge

Judges, the California Women Lawyers, and the Lawyers Club of San Diego.

Judge Michael Anello is a Master of the Enright Inn of Court. He also served as a guest Judge at the San Diego Inn of Court's Trial College and Evidence Workshop programs. In addition, he hosted an ABTL Brown Bag Luncheon regarding his courtroom practices, and served as a panelist at several seminars including the Judith N. Keep Federal Civil Practice Seminar, Californian Western



Senior Judge Rudi Brewster

Law School's annual Transition to Practice Program, and the newly formed Veterans Bar Association's Judges Panel. He also hosted the first annual Marine Corps Birthday Breakfast celebration for employees and staff within the federal court complex.

Senior Judge William Enright continues to mentor young attorneys by serving as Chancellor and Master of the Welsh Inn of Court, which he co-founded with Senior Judge Howard Turrentine and others in 1983. He is an Honorary Master of the Enright Inn of Court. In addition to speaking at the December 2009 Bar admission ceremony for new attorneys, he is an active member of the Past Presidents of the San Diego County Bar Association, American College of Trial Lawyers, American Board of Trial

Advocates, and San Diego Rotary Club 33. In July 2009, he was honored to participate in the installation ceremony and administer the oath of office to Sheriff William D. Gore. Prior to his appointment to the bench, Judge Enright knew and worked with Gore's father, a distinguished law enforcement officer on the San Diego Police Department.

Senior Judge Rudi Brewster is a member of the San Diego Rotary Club. He is also an active Master and Member of the Executive Committee of the Louis M. Welsh American Inns of Court, a Fellow of the American College of Trial Lawyers, and an Associate of the American Board of Trial Attorneys. Judge Brewster is a member of the musical group Judicial Harmony that performs for various court and community functions as requested. In addition, he is involved in the San Diego Unified School District's Judges in the Classroom Program. Currently, Judge Brewster is a member of the Planning Committee for the New Federal Court Building Project.

Senior Judge James Lorenz participated in the San Diego Unified School District's Judges in the Classroom Project and has served as a panel member at local bar association seminars. He is a member of the Wallace Inn of Court and also serves on the Board of Advisors for the Marine Corps Recruit Depot Museum and Historical Society.

Presiding Magistrate Judge Ruben Brooks participates in the twice yearly readings sponsored by the Lawyers Club and La Raza Lawyers at a local elementary school and is a member of the programming committee for the local public broadcasting station. He also has spoken at several Federal Bar Association-sponsored events this year. Judge Brooks also serves on the La Raza Lawyers Scholarship Committee.

Magistrate Judge Louisa Porter continues her International Judicial and Court

Management education assistance activities. She has continued with the Mexican Criminal Justice Reforms through work with educational, law enforcement and judicial agencies and organizations locally, nationally and internationally. Judge Porter attended the Fourth Conference of the International Association for Court Administration (an organization she helped found in 2004) in Istanbul in November 2009. Judge Porter serves on the Board of Visitors of the University of San Diego, has lectured at California Western School of Law, and continues to support the activities of the local schools of law. Judge Porter also continues with her Judges in the Classroom visits with local elementary schools. She presided over the trial of the Three Little Pigs vs. The Big Bad Wolf both for the Court's Bring Your Child to Work Day and the Judges in the Classroom program.

Magistrate Judge Anthony Battaglia has been appointed to a two-year term on the U.S. Judicial Conference as the Magistrate Judge Observer. He is also a member of the Magistrate Judge Advisory Group to the Administrative Office of the U.S. Courts, the Immediate Past President of the Federal Magistrate Judges Association, and a former member (2003-2009) of the U.S. Judicial Conference Advisory Committee on Criminal Rules. He is a frequent writer and speaker on both civil and criminal issues and the Program Chair of the Annual Judith N. Keep Civil Practice Seminar since its inception in 2005. Judge Battaglia also serves as a member of the Advisory Panel for the University of California Extension Program for Paralegal Certification in Advanced Litigation Support.

Magistrate Judge Nita Stormes is a Master in the Enright Inn of Court, a member of the Federal Magistrate Judges Association Rules Committee, a member of the Ninth



Magistrate Judges Jan Adler, Nita Stormes, Cathy Bencivengo, Ruben Brooks, and Louisa Porter

Circuit Magistrate Judges Executive Board and a member of the District Court's Criminal Justice Act (CJA) Committee. In September 2009 she was a member of the "settlement panel" at the Judith N. Keep Federal Practice Seminar in San Diego. In October 2009, she spoke to criminal defense attorneys at the Fall Criminal Justice Act Seminar in San Diego. She is also a participant in the Judges in the Classroom program in conjunction with the San Diego Unified School District. As part of that program, this year she visited with 7th and 8th grade students at Bell Middle School in San Diego and spoke with them about the types of cases heard in federal court, and the role of federal magistrate judges in the court system.

Magistrate Judge Jan Adler serves on the Ninth Circuit's ADR Committee and Magistrate Judge Education Committee and is a Master in the Enright Inn of Court. He was a member of the planning committee for the Fifth Annual Judith N. Keep Federal Practice Program, and participated as moderator of a panel on Early Neutral Evaluation Conferences. At the ABTL Annual Program, he spoke at a breakout session on motions in



Magistrate Judge William McCurine

limine and judicial bias and demeanor, and he also spoke at the Consumer Attorneys of San Diego Second Annual Class Action Symposium.

Magistrate Judge Barbara Major is the Chair of the Diversity Committee of the Federal Magistrate Judges Association and a co-chair of the Community Outreach Committee for the Southern District of California. She also is a member of the Board of Directors of the Enright Inn of Court. Judge Major was one of the host judges for the Open Doors to Federal Courts Program and she frequently speaks to a variety of community and legal groups. She is a regular volunteer reader at a local elementary school through the Children at Risk Committee of the San Diego County Bar Association and is an active participant in the San Diego Unified School District's Judges in the Classroom program. She also is a Sustaining Member of the Lawyer's Club of San Diego.

Magistrate Judge William McCurine spoke at several programs this past year, including the San Diego County Bar Association's Bridging the Gap program, an ABTL trial seminar, and two panels for lawyers dealing with e-Discovery in San Francisco

and Los Angeles. He has also hosted the San Diego Legal Secretaries Association in his courtroom and was the Moderator of their Annual Awards Luncheon. He also participated in several panel discussions in San Diego on e-Discovery, professional ethics, and practice before the magistrate judges. Judge McCurine also serves as a member of the Board of Directors of the Thomas Jefferson School of Law.

Magistrate Judge Peter Lewis is involved with the Imperial County Mock Trial competition. Along with his two law clerks, Judge Lewis coaches the Imperial High School Mock Trial team, meeting with the team of students approximately six hours a week for several months. He also sits as a judge in the competition. During the past year, Judge Lewis has presided over 15 naturalization ceremonies in Imperial Valley.

Magistrate Judge Cathy Bencivengo is the Chair of the Ninth Circuit Magistrate Judges' Education Committee. She is a Master in the Welsh Inn of Court and a member of the Board of Governors of the San Diego Chapter of the ABTL. She participated in the Open Doors to the Courthouse program, the

San Diego Inn of Court Workshop and a USD Evidence Workshop. She also presented at a number of seminars including a SDIPLA seminar and the Annual Judith Keep Seminar on best practices for settlement conferences, seminars on e-Discovery for the ABTL and the SD Chapter of Women in e-Discovery, and seminars for law students sponsored by the Thomas Jefferson School of Law on practice in Federal Court.

Chief Bankruptcy Judge Peter Bowie continued his work in the areas of judicial and legal ethics. Judge Bowie was on the faculty for the new judge orientation for Bankruptcy Judges at the Federal Judicial Center, the Ninth Circuit mid-winter workshop; and was a panelist at the Ninth Circuit Judicial Conference. He also spoke to the Wisconsin State Bar, was the closing speaker at the annual meeting of the National Association of Legal Assistants, and was a panelist at a national meeting of the Defense Research Institute. Judge Bowie serves on the San Diego County Bar Civility Committee, serves as Emeritus Member of the Board of Governors of the Association of Business Trial Lawyers, an Executive Board Member of the Louis M. Welsh

American Inn of Court, and an Emeritus Board Member of the San Diego Bankruptcy Forum.

Bankruptcy Judge James Meyers served as a member of the team editing and updating the “Bankruptcy Judges Case Management Manual” published by the Judicial Conference Committee on the Administration of the Bankruptcy System and the Administrative Office of the U.S. Courts.

Bankruptcy Judge Louise Adler was a contributing author for the recently released book “United States International Insolvency Law 2008-9” published by Oxford University Press.

Bankruptcy Judge Laura Taylor served as a member of the Ninth Circuit Executive Committee, the Ninth Circuit *Pro Se* Committee, and the Ninth Circuit Bankruptcy Judges Education Committee. She provided a continuing education program on bankruptcy related issues to the judges of the San Diego Superior Court and spoke or presented at events sponsored by the San Diego County Bar Association, the Foothills Bar Association, NBI, the California Bankruptcy Forum, and Lawyers Club.



In Closing



Judge Rudi M. Brewster

THIS YEAR HAS SEEN THE CULMINATION of a long planning, designing, and authorization process, which has now moved into the construction phase for our supplemental Court home, pictured on the cover. The team that brought this process to fruition includes the General Services Administration, the Design Architect, Michael Palladino, the Court Architect, David Allen, the Clerk of the Court, Sam Hamrick, and Chief Judge Irma E. Gonzalez.

Our Groundbreaking Ceremony on December 11, 2009, formally kicked off what we expect will be an approximately three-year project to completion. The team which has been assembled is doing everything possible to bring the Southern District United States District Court into the best it can be, from environmental to community judicial service standards.

At groundbreaking for the Edward J. Schwartz Courthouse in 1972, our judicial district population was approximately 1.5 million. Our present population approximates 3.3 million, an increase of just under 120%. In 1972, when construction began on the courthouse in which we currently sit, our Court had five active judges, including Judges Howard Turrentine, Gordon Thompson, and William Enright, who all remain on the bench today, and four magistrates. Today, our Court has 12 (13 authorized) active district judges and 10 magistrate judges, an increase of 140% and 150%, respectively, since 1972. At the present time, there is one district judge for every 264,000 persons, and one magistrate judge for every 316,000 persons, in the Southern District of California.

During an era of ever-increasing federal jurisdiction in this country both civilly and criminally, our Court has attained an enviable reputation for able service to our judicial district and to the nation. One reason has been the tradition of service by our senior judges as well as the active judges and magistrate judges, and a highly trained and dedicated Court staff. Without the Court family, our response and availability would not be all it has been and will be into the future.

It is an honor and privilege to serve on this Court, and we look forward to the many challenges that lie ahead in this high-tech age.



United States District Court

Southern District of California

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